



# **Calendar Year 1979 Report on the Implementation of the Fishery Conservation and Management Act of 1976**

March 1980  
Washington, D.C.



**U.S. DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
National Marine Fisheries Service





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**U.S. DEPARTMENT OF COMMERCE**


Phillip M. Klutznick, Secretary

**National Oceanic and Atmospheric Administration**

Richard A. Frank, Administrator

**National Marine Fisheries Service**

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**THE SECRETARY OF COMMERCE**  
Washington, D.C. 20230

JUN 17 1980

Dear Sirs:

It is my honor to submit herewith, as required by Section 305(f) of the Fishery Conservation and Management Act of 1976 (16 U.S.C. 1801, et seq.), the fourth report on activities of the Regional Fishery Management Councils and the Department of Commerce concerning fishery management plans, regulations to implement such plans, and other activities in the conservation and management of fishery resources that were undertaken during 1979 pursuant to the Act.

Sincerely,

*Philip W. Klutznick*  
Secretary of Commerce

Enclosure

The President  
President of the Senate  
Speaker of the House of Representatives

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## PREFACE

This report, required by section 305(f) of the Fishery Conservation and Management Act of 1976 (FCMA), discusses the programs, activities, and significant accomplishments undertaken to fulfill the requirements of FCMA during calendar year 1979.

The report has two parts. The first part describes FCMA and how it works, addresses the major responsibilities assigned to the Secretary, summarizes Secretarial actions, and describes the status of the fishery management plans in effect on January 1, 1980. The second part comprises the reports of the eight Regional Fishery Management Councils established by the FCMA.

### I. THE FCMA: WHAT IT IS, HOW IT WORKS.

FCMA provides for the conservation and exclusive management of all fishery resources except tuna within a U.S. fishery conservation zone (FCZ), which extends from the seaward boundary of the territorial sea to 200 nautical miles from shore. It also provides for exclusive management authority over Continental Shelf fishery resources and over anadromous species beyond the U.S. FCZ except when found within a foreign nation's territorial sea or fishery conservation zone. FCMA thus establishes a comprehensive system for U.S. management of fisheries in an area of over 2 million square nautical miles, within which are found 15 to 20 percent of the world's traditionally harvested fishery resources.

Although a major aim of the legislation is to curb foreign fishing off U.S. coasts, the FCMA's management controls also apply to domestic fishing. The policy brought into effect by FCMA is to assure that fish are harvested responsibly in accordance with regionally developed fishery management plans. These plans are to be based on the best available scientific information and must meet other specified national standards. FCMA also sets forth mandatory and discretionary management measures for each fishery management plan (FMP).

#### Regional Fishery Management Councils

The principal responsibility for development of fishery management plans lies with the eight Regional Fishery Management Councils that are established by the FCMA. Councils are made up of 7 to 19 voting members each. Appointed members of the Councils are selected by the Secretary of Commerce from nominations made by the Governors of the constituent States of the Councils. Terms of appointed members are for 3 years; approximately one-third of them expire each year. Council membership also includes specified State and Federal officials, thus comprising a blend of the public and private sector having knowledge of commercial and recreational fishery matters, and environmental, conservation, governmental, consumer, and other interests. Each Council also appoints a Scientific and Statistical Committee (SSC) and an Advisory Panel (AP) which provide specific expertise and localized advice on each FMP prepared.

Acting on behalf of the Secretary, the Administrator of the National Oceanic and Atmospheric Administration (NOAA) appointed 15 new members and 15 incumbents to vacancies on the Councils in 1979, effective August 11, 1979. (See table 1 for information about new and reappointed members.)

#### The Optimum Yield (OY) Concept

A key goal of FCMA is attainment of what is termed the "optimum yield" of each fishery, a concept that denotes the amount of fish that will provide the greatest overall benefit to the United States, emphasizing both food production and recreational opportunities. The concept not only takes into account the maximum harvest that will permit a species to sustain itself, but also includes consideration of any relevant economic, social, or ecological factors.

FCMA limits foreign fishing in the U.S. FCZ to that portion of the optimum yield that will not be harvested by U.S. vessels. Both the optimum yield and the total amount to be made available for foreign fishing (TALFF) are determined by the eight Councils as part of the fishery management plans they develop. Assessments of OY and of the anticipated U.S. harvest are reviewed during each year. Adjustments to TALFF's are based on updated information related to the status of stocks, estimated and actual performance of domestic and foreign fleets, and other relevant factors.

#### Governing International Fishery Agreements

Under FCMA, the U.S. Department of State, with NOAA's cooperation, negotiates a Governing International Fishery Agreement (GIFA) with foreign countries wishing to fish within the U.S. FCZ. After the GIFA is signed, it is transmitted by the President to the Congress for review. Conclusion of a GIFA with the United States enables fishermen of a foreign nation to be eligible for allocations of surplus fish stocks in the U.S. FCZ, but does not guarantee such allocations. Allocations are made by the Secretary of State in cooperation with DOC/NOAA, for each country by fishery, from the TALFF's established under the various fishery management plans. Foreign vessels with allocations must apply for and receive permits issued by the United States and comply with applicable U.S. regulations when operating in the U.S. FCZ.

No new GIFA's were concluded in 1979. A GIFA was, however, concluded with the Faroe Islands (signed by Denmark, the Faroe Islands, and the United States), which was to enter into effect early in 1980 pending Congressional review. GIFA's previously concluded with the following countries remained in force during 1979: Bulgaria, Cuba, the European Economic Community (France, Federal Republic of Germany, Ireland, Italy), the German Democratic Republic, Japan, Mexico, Poland, Republic of Korea, Romania, Spain, Taiwan, and the U.S.S.R.

## Foreign Fishing Permits

After a GIFA is in force, the foreign nation submits to the U.S. Department of State a vessel permit application for each vessel. The foreign nation may also apply for a vessel permit to receive U.S. harvested fish in the FCZ. A GIFA must be in force, although no allocations are necessary, for this type of permit. The Department of State provides copies of the application to the Congress, the U.S. Coast Guard, and the appropriate Regional Fishery Management Council and a copy with recommendations to the Assistant Administrator for Fisheries, NOAA. NMFS also receives recommendations from the Councils and the Coast Guard.

The Assistant Administrator for Fisheries reviews all recommendations pertinent to the application and, after consultation with the Department of State and Coast Guard, may approve the application. The conditions and restrictions on the approval of the application, and the request for fees, are sent to the foreign nation through the Department of State. Vessel permits are prepared by NMFS and transmitted through the Department of State to the foreign nation.

The total number of foreign permits (912) issued in 1979 was 33 fewer than in 1978. (See tables 2-6 on pages 21-24 for TALFF, allocation, and permit summaries.)

### Fees

Foreign nations (except Canada) engaged in fisheries subject to United States jurisdiction are charged permit fees, a poundage fee, a foreign fee surcharge, and an observer fee. All fee payments are collected by NMFS and forwarded to NOAA, which submits them to the U.S. Treasury Department. Consistent with Office of Management and Budget (OMB) policy, the fees are thereupon deposited into the general fund and are not returned to NMFS in support of the FCMA program, except as part of the general Congressional reauthorization and appropriation process.

The permit fees are annual charges of \$1 per gross registered ton for each vessel engaged in fishing; 50 cents per gross registered ton for each vessel engaged in processing fish (not to exceed \$2,500 per vessel); \$200 for each ship assisting other vessels in harvesting or processing; and \$200 for each vessel in a nonretention fishery. Total amount received in permit fees in 1979: \$1,009,356.

The poundage fee is computed at 3.5 percent of the dockside (exvessel) price of fish that are allocated annually to each foreign nation. The value of the fish is based on the dockside price received by U.S. fishermen. For species not landed in the United States, an appropriate foreign dockside price is used. Upon application by a foreign nation at the end of the year, a refund is made for the unused allocations. Total poundage fees for 1979: \$19,848,103. This figure does not reflect refunds due for unused allocations.

A surcharge was added in 1979 of up to 20 percent of each nation's permit fee and poundage fee, but not to the observer fee. The surcharge is used to capitalize a fund to compensate U.S. fishermen operating in the

U.S. FCZ whose vessels are lost or damaged because of foreign vessel activities, or whose fishing gear is lost or damaged by any foreign or domestic vessel or by "acts of God." The surcharge is in two installments. The first installment is 10 percent and is payable when the permit fee and poundage fee are paid. The amount of the second installment is reduced or waived if actual claims experience indicates that the total of claims against the fund is not as high as estimated. The second installment was waived in 1979.

The observer fee covers U.S. costs including salary, per diem, transportation, and overhead for U.S. observers on board foreign vessels. (See page 9 for description of observer program.) The fee is computed on the basis of actual observer trips. Preliminary estimates for observer fees for 1979: \$1.4 million.

(See table 7 on page 25 for details of fees.)

### Preliminary Fishery Management Plans

If a foreign nation that has entered into a GIFA with the United States applies for permission to fish within the U.S. FCZ for a fishery for which no fishery management plan has been prepared by a Council, the Secretary of Commerce is empowered to prepare and implement what is called a preliminary fishery management plan (PMP). PMP's apply only to foreign fishermen, and generally remain in effect until an FMP for that fishery is prepared by the appropriate Council and is implemented. As of January 1, 1980, the following PMP's were in effect (citation is publication date of plan):

#### Atlantic PMP's

- Mackerel fishery of the Northwestern Atlantic (42 FR 9552, February 16, 1977)
- Foreign trawl fisheries of the Northwestern Atlantic (42 FR 9950, February 17, 1977)
- Hake fisheries of the Northwestern Atlantic (42 FR 10146, February 18, 1977)
- Atlantic billfishes and sharks (43 FR 3818, January 27, 1978)

#### Pacific PMP's

- Seamount groundfish fishery of the Pacific (42 FR 8568, February 10, 1977)
- Trawl fisheries of Washington, Oregon, and California (42 FR 8578, February 10, 1977)
- Trawl fisheries and herring gillnet fishery of the Eastern Bering Sea and Northeast Pacific (42 FR 9298, February 15, 1977)
- Snail fishery of the Eastern Bering Sea and Gulf of Alaska (42 FR 9334, February 15, 1977)
- Shrimp of the Eastern Bering Sea and Gulf of Alaska (42 FR 12386, March 3, 1977)



The primary function of the Councils is to prepare FMP's and amendments for those fisheries within their geographic jurisdiction that are in need of management. The plans must be developed in accordance with seven national standards; these have to do with conservation of the stock, use of the best available scientific information, fair and equitable allocation of fishing privileges, efficiency in utilization of resources, and minimization of costs. The national standards must be incorporated into specific management plan objectives, to which the management measures are directed. (See table 8 for additional information about management measures.) Plans are submitted to the Secretary for review and approval, and must conform to the various other procedural requirements imposed by the National Environmental Policy Act, Administrative Procedure Act, and Executive Order 12044, as well as to provisions of the FCMA. When an FMP is approved, the Secretary issues implementing regulations, which are enforced with the help of the U.S. Coast Guard and, where appropriate, State officials.

As of January 1, 1980, the following FMP's were approved under Section 304 of the Act (citation is original publication date of the plan):

#### Atlantic FMP's

- Atlantic groundfish (haddock, cod, and yellowtail flounder) (42 FR 13998, March 14, 1977)
- Surf clam and ocean quahog (42 FR 60438, November 25, 1977)
- Atlantic herring fishery of the Northwestern Atlantic (43 FR 60474, December 28, 1978)
- Squid fishery of the Northwest Atlantic (44 FR 37252, June 26, 1979)
- Atlantic mackerel of the Northwest Atlantic (44 FR 53196, September 13, 1979)

#### Gulf of Mexico FMP's

- Stone crab fishery of the Gulf of Mexico (44 FR 19444, April 3, 1979)

#### Pacific FMP's

- Commercial and recreational salmon fisheries off the coasts of Washington, Oregon, and California (43 FR 15629, April 14, 1978)
- Groundfish of the Gulf of Alaska (43 FR 17242, April 21, 1978)
- Commercial tanner crab off the coast of Alaska (43 FR 21170, May 16, 1978)
- Northern anchovy fishery (43 FR 31652, July 21, 1978)
- High-seas salmon off the coast of Alaska (44 FR 33250, June 8, 1979)

Calendar year 1979 is the third year in which FCMA has been in operation. After 2 years, which initially focused, by necessity, on startup problems, progress is now plainly visible at a different and more substantive level. Increased understanding of the Act and its operation and a better sense of partnership with the Regional Fishery Management Councils in the fishery management decision process have provided a challenging and realistic vision of the potential of U.S. fisheries resources in the 1980's. The following summary highlights the evolution, which is described in more detail in the text of the report.

o Currently under management are 33 major fisheries (some plans cover more than 1 fishery). Of the 10 fishery management plans prepared by the Councils as of January 1, 1980, only 3 allow for foreign fishing: Atlantic squid, commercial Tanner crab, and Gulf of Alaska groundfish. Including the nine preliminary fishery management plans in effect, foreign fishing takes place in 12 of the 33 fisheries under management. Four new FMP's were approved by the Secretary in 1979: Atlantic squid, Atlantic mackerel, stone crab, and high-seas salmon off the coast of Alaska. (A fifth plan for butterfly of the Northwest Atlantic was approved (45 FR 8031, February 6) early in 1980). Seven more FMP's were submitted in draft or final form in 1979 and are in the public review/implementation process: Gulf of Mexico shrimp, Gulf of Mexico reef fishes, precious coral fisheries of the Western Pacific region, Pacific coast groundfish, jack mackerel, Bering-Chukchi Sea herring, and Bering Sea groundfish.

o Preliminary estimates of the foreign catch off U.S. shores place the total at about 1.6 million metric tons (3.5 billion pounds) in 1979, down 8 percent from 1978.

o Foreign allocations (TALFF) increased from 2,086,000 metric tons in 1978 to 2,102,000 metric tons in 1979. Nine hundred and twelve foreign vessel permits were issued, 33 fewer than in 1978. Permit fees totalled \$998,269, an increase of about \$220,000; and poundage fees (unadjusted for refunds due on unused allocations) were \$17,490,276, a \$6-million increase from 1978. Increases in fees in 1979 are due in part to an increase in exvessel prices, but more to releases of large reserves in the Gulf of Alaska fishery throughout the year.

o Seven (one domestic, six foreign) vessel permits were revoked or suspended. This was the first use of this type of penalty.

o Fifteen new members and 15 incumbents were appointed to vacancies on the Councils. NMFS made changes in two executive positions that carry FCMA responsibilities.

o Efforts were expanded to develop a regionally coordinated, nationwide system for collection, analysis, and dissemination of marine recreational fishery statistics.

o With the States of California, Oregon, and Washington, a compatible format for a Coastwide Data File was developed for use in developing, monitoring, and amending fishery management plans.

- o Interim final regulations were published on the handling of FCMA confidential statistics.
- o Policy guidelines were developed, reviewed, or revised regarding the fishery management plan development process, management of billfish as incidental catch in the longline tuna fishery, access to FCMA confidential statistics, joint venture concerns of U.S. processors, flexibility of the optimum yield concept, and the State/Federal role.
- o NOAA, NMFS, and the Councils testified at various times during a series of FCMA Oversight Hearings held in Washington, D.C., by the House Merchant Marine and Fisheries Subcommittee on Fisheries and Wildlife Conservation and the Environment. NOAA/NMFS submitted a FCMA legislative amendment package to OMB.
- o The General Accounting Office (GAO) made two audits involving FCMA in 1979. NMFS supported and took steps to implement all recommendations of these audits.
- o Workshops with NMFS staff and representatives of the Councils and their staffs discussed the public affairs techniques and responsibilities of the Councils and development and implementation process for fishery management plans.
- o Informal meetings to discuss constituent concerns were held with consumer, environmental, and foreign and domestic industry groups.
- o At workshops, NMFS regional and headquarters staff discussed and clarified economic analyses under FCMA and the roles of regional and national plan coordinators in the plan review process.
- o A comprehensive review of the FCMA foreign fee system was initiated.
- o Development began on a comprehensive set of operational guidelines for preparation of FMP's and overall Council operations.
- o A notebook system for ready reference to foreign fishing regulations was established.

### III. MAJOR ACTIVITIES

#### Legislative Activities

#### United States - Canadian East Coast Fisheries Agreement

On March 29, 1979, Secretary Cyrus Vance and Ambassador Peter Towe of Canada signed an agreement on East Coast fisheries. Ratification awaits the treaty pending advice and consent of the U.S. Senate. Hearings before the Senate Foreign Relations Committee are anticipated in spring 1980.

The agreement establishes a framework for coordinated management and conservation of fishery resources of interest to both countries. Through coordinated management, mutually agreed OY's and management measures will be instituted for stocks covered in the agreement, to reduce risks of competitive overfishing. The agreement will also

restore access for United States fishermen to Canadian waters for the first time since June 1978. This access is particularly valuable to the traditional U.S. ocean perch redfish fishery valued at about \$10 million per year. Finally, the agreement is designed to continue in effect after the maritime boundary has been delimited. This continuation assures U.S. fishermen the right of access to, and shared management responsibility for, all stocks covered by the agreement, regardless of where the boundary is established.

#### Public Law 96-61

Public Law 96-61 of August 15, 1979, amends the Shipping Act (46 U.S.C. 251(a)) to prohibit foreign-built fishing vessels flying the U.S. flag from fishing within the 200-mile fishery conservation zone (FCZ) of the United States (so-called "Loophole Amendment").

It further establishes under the FCMA a procedure designed to protect whales that would be similar to the procedure established by the "Pelly Amendment" to the Fishermen's Protective Act of 1967 with respect to fisheries protected by international agreements. Specifically, the Secretary would issue a certification whenever foreign countries are conducting whaling operations or engaging in trade or "taking" under circumstances that diminish the effectiveness of the International Convention for the Regulation of Whaling (IWC). With respect to any nation which the Secretary of Commerce finds to be in violation of the IWC, the Secretary of State is required to reduce immediately the unharvested portion of any allocation of fish to such nation under the FCMA by not less than 50 percent. The nation has 1 year to correct these activities or lose the right to fish in the U.S. 200-mile zone.

The law authorizes the following appropriations to carry out the FCMA: \$33 million for FY 1980, \$40 million for FY 1981, and \$47 million for FY 1982.

#### FCMA Oversight Hearings

The House Subcommittee on Fisheries and Wildlife Conservation and the Environment held a series of FCMA oversight hearings during the summer and fall of 1979. The hearings were scheduled to develop information for a formal oversight report that would make recommendations for improved FCMA performance, either through administrative action or legislative remedy.

On June 25 and 26, 1979, the NOAA Deputy Administrator and representatives of selected fisheries groups testified on the progress and problems in implementation of FCMA. Other witnesses and panelists included representatives from the Department of State, Office of NOAA General Counsel, NMFS, Defenders of Wildlife, Humane Society of the United States, Tele-Press Associates, Sport Fishing Institute, Fishermen and Allied Workers Union, and U.S. Tuna Foundation.

Oversight hearings were held again on July 10, 11, and 12 to assess how well the Councils are discharging their duties and to learn about Council problems. Each Council was represented by the Chairman and Executive Director, who testified regarding Councils'



administrative problems including such items as legal status, member appointments, notice of meetings, and outside legal services.

Administration witnesses included representatives from the U.S. Fish and Wildlife Service, NMFS, the Community and Economic Development Division of the General Accounting Office (GAO), Atlantic Fisheries Association, National Federation of Fishermen, Sport Fishing Institute, and Long Island Fishermen's Association.

The hearings were resumed on October 11-12, 1979. Seven representatives from the Councils appeared as a panel and responded to a series of questions previously provided by the subcommittee on Council operational processes.

The following organizations were represented by witnesses who also provided commentary regarding the operational effectiveness of the Councils: California Salmon Traders Association, Del Norte Fishermen's Marketing Association, Environmental Defense Fund, Long Island Fishermen's Magazine, National Federation of Fishermen, National Fish Meal and Oil Association, Pacific Coast Federation of Fishermen's Associations, Pacific Federation of Fishermens Associations, Pacific Pearl Seafoods, and Point Judith Fishermen's Cooperative.

Representatives from the GAO Community and Economic Development Office highlighted GAO's report on effectiveness of enforcement of New England fishery regulations, and officials from NMFS and the Coast Guard provided a panel discussion of issues related to joint enforcement of FCMA fishery regulations.

At the conclusion of the hearing, subcommittee Chairman Breaux indicated he intends to hold several sets of field hearings to hear firsthand about some of the problems from those fishermen and processors who are being affected directly by the Act. At the conclusion of the field hearings a subcommittee oversight report is to be published.

#### FCMA Amendments

Based upon NOAA/NMFS recommendations, the Department of Commerce forwarded a package of FCMA amendments to the Office of Management and Budget for consideration. The proposed amendments address the following:

- Recreational fishing by foreigners in the FCZ;
- Elimination of imprisonment as a sanction for purely fishery violations;
- Change of due date for Council input into annual report;
- Collection of data necessary for plan preparation;
- Inclusion of Northern Marianas within Western Pacific Council;
- Elimination of publication of management plans in the Federal Register;

- Extension of period that emergency regulations are in effect, from 45 to 90 days; and

- Authority to sell seized fish.

These amendments can be characterized as "housekeeping amendments," because some of them are purely technical and others make minor procedural changes. None is perceived to be controversial, but all are important for conducting the shared responsibilities under the Act.

NMFS does not support major changes to FCMA at this time. Progress is being made through the partnership that the Councils and NMFS are developing under the broad guidance of the Act. The FCMA oversight hearings in July and October affirm the uniqueness of this relationship and the success of the cooperative efforts to make this Act effective.

#### Technical Review and Assistance

##### Impact of Executive Order 12044

In January 1979, the Department of Commerce issued Departmental Administrative Order (DAO) 218-7, which contains the procedures and requirements to be followed by the Department in developing regulations to meet the requirements of Executive Order (E.O.) 12044 (Improving Government Regulations).

E.O. 12044 directed executive agencies to develop or revise informal rulemaking procedures to ensure that high-ranking agency officials exercise policy level oversight of regulatory decisions. This policy is intended to make agency officials more responsible for guiding regulatory decisions and more accountable for the impacts of regulatory actions. E.O. 12044 also requires that the public have early and meaningful opportunities to participate in the regulatory process and that there be a detailed analysis of regulatory alternatives for certain categories of significant regulations.

NOAA procedures for implementing the Executive Order and DAO 218-7 were established in June 1979 through the issuance of a directive on "informal" or "notice-and-comment" rulemaking (NOAA Directives Manual, Chapter 21, Section 24). This directive was distributed to the Councils to familiarize them with Administration policy on rulemaking procedures.

E.O. 12044 has had a major effect on the processes to develop, approve, and implement FMP's. For example, the Councils are required to prepare work plans for new FMP's and significant amendments. These work plans specify the reasons that a new FMP or amendment is needed, and must be approved by the NOAA Administrator before the Council can commit substantial resources to the development or significant amendment of FMP's. Another requirement is that the NOAA Administrator must approve the final regulatory analysis for each FMP and the final implementing regulations before the latter can be published in the Federal Register. E.O. 12044 also extended the public comment period on proposed significant regulations from 45 to 60 days.

One of the most important innovations in E.O. 12044 is the requirement for publication of a semiannual agenda of regulations. These agendas let the public know months in advance what regulations are scheduled for development or review and when the agency intends to take action on rulemaking. The agendas also allow policy level officials to plan the regulatory activities of NOAA/NMFS.

Agendas, published in the Federal Register on April 30, 1979, and September 18, 1979, indicated that NMFS anticipated developing significant regulations for 27 new FMP's or amendments to existing FMP's. It was projected that NOAA/NMFS, in cooperation with the Councils, would begin preparing of 27 draft regulatory analyses.

In the semiannual agendas, NMFS projected that nonsignificant regulations to 10 sets of amendments to FMP's would possibly be prepared. However, preliminary estimates show that more than 35 sets of amendments were prepared for FMP's that were in effect or were implemented in 1979.

This past year, the 16 draft regulatory analyses received by NMFS provided an analysis of proposed and alternative management measures for each new FMP or significant amendment. These draft regulatory analyses were submitted to the Department of Commerce Chief Economist for review and clearance. The NOAA Administrator was sent four final regulatory analyses, all of which were approved.

#### Council Chairmen's Meeting

The FCMA regional decision process is based on the premise that those closest to a problem are best at solving it. However, some problems overlap jurisdictions, necessitating coordination among Councils. Considerable efficiency is gained by sharing management experiences among Councils. To facilitate the exchange, Council chairmen hold meetings with their own agenda. They invite the Assistant Administrator for Fisheries, the Regional Directors, and key NMFS staff members to discuss a broad range of operational and policy issues.

Representatives from the Councils met in Valley Forge, Penn., June 19-20, 1979, to discuss operational policies, procedures, and issues common to the respective regions and fisheries. The Mid-Atlantic Council was host for the meeting. Attendance included the Assistant Administrator for Fisheries and other NMFS staff, and attendees from the public sector.

Areas receiving major attention were the plan review and development process, budget, Councils' role in fishery development and habitat protection, enforcement, joint ventures, and FCMA amendments.

#### Council Status

Efforts in 1979 to clarify uncertainties about the Federal or non-Federal status of the Councils were directed toward resolution of ambiguous issues not previously addressed in the 1978 task force report on the legal status of the Councils.

Toward that end, opinions were solicited and received from the Departments of Labor and Justice. The opinion of the Solicitor of the Department of Labor provided guidelines on compensation for work-related injury and unemployment benefits for Council members and staff. Under this ruling, both members and staff are entitled to the same benefits for job-related injuries as are Federal employees. While it is not stated in the opinion, the same benefits should be available to members of the Scientific and Statistical Committees and Advisory Panels if they are injured while on Council business. Information on benefit payments for work-related injury or disability can be obtained from local offices of the Department of Labor. As indicated in the opinion, members of boards and commissions composed of other than full-time Federal employees are not entitled to unemployment compensation when they lose their board or commission posts. However, Council staff are eligible for the same unemployment benefits as are Federal employees. As a matter of procedure, Executive Directors must certify the employment status or official duty of each individual claiming either of these benefits as a result of service to the Council.

The Department of Justice opinion reviewed the applicability of certain conflict-of-interest laws to members, administrative employees, and advisers of the Councils. The conclusion was that the members of a Council who are not regular employees of the Federal Government, together with the Council's administrative employees, are subject to criminal conflict-of-interest statutes, including 18 U.S.C. 207. In particular, since these individuals are engaged in certain governmental activities, including the award of contracts, which are beyond the authority of a person in a nonemployee status, they must fall within the broad meaning of the undefined words "officers or employees" that appear in the criminal statutes, including those words as used in the definition of "special Government employee" in 18 U.S.C. 202.

While the Congress may wish to pursue legislative clarification of the status of Councils as a followup to this year's oversight hearings, NMFS continues in the belief that most issues have been resolved by administrative interpretation of FCMA by the appropriate agencies of the Federal Government.

#### General Accounting Office (GAO) Audits

Two audits involving FCMA took place in 1979:

- (1) Report on "Enforcement Problems Hinder Effective Implementation of New Fishery Management Activities" dated September 12, 1979. This review of enforcement activities related to two fishery management plans in effect in the New England and Mid-Atlantic areas and showed that enforcement of the regulations has not been effective. GAO recommended that NMFS improve the observer program to strengthen monitoring of foreign catch and improve the civil penalties assessment process. NMFS supports these recommendations and has initiated steps to implement the suggestions.



- (2) Report on "Progress and Problems of Fishery Management under the Fisheries Conservation and Management Act" dated September 30, 1979. This report made the following recommendations:
  - (a) Support NMFS' plans for biological, social, and economic data collection to assure that the data are provided for effective fishery management.
  - (b) Monitor the extent to which jurisdictional problems impede fishery management plan implementation and, through NMFS and the Councils, work with the States to enforce FMP's.
  - (c) Encourage Councils to publicize and hold meetings on FMP's at more convenient locations and to explain clearly in each FMP why some actions were taken and others rejected.
  - (d) Speed up the FMP development process by giving the Councils guidance on FMP requirements; promptly review draft FMP's; work with Councils to develop implementing regulations concurrently with final FMP's; and, where feasible, use negative or generic environmental impact statements.
  - (e) Assist the Councils in developing long-range plans for fishery management that include measurable long-range, in addition to short-range, biological, social, and economic goals.

NMFS is in full accord with the above recommendations and has undertaken efforts to implement them.

#### Foreign Fee Review

During 1979, NMFS began a comprehensive review of the foreign fee system. A preliminary study showed that (1) the fee schedule was based on U.S. exvessel prices almost 18 months old, (2) there was no time limit for foreigners to claim refunds, and (3) the administrative burden of processing hundreds of permit applications for vessels that never showed up was unduly large. The study also suggested a legal review of the question of assessing fees based on fishing effort rather than fish catch.

Based on the preliminary study, a number of changes were implemented beginning in 1980. These were (1) a 5-month limit to request poundage fee refunds, (2) the use of 6-month-old U.S. exvessel prices in determining the base foreign poundage fee, and (3) requiring payment of vessel permit fees at the time of application. A comprehensive review of the poundage fee system is continuing.

Computerized forms were developed and used to prepare 1980 bills. Work continues toward a system that will prepare bills concurrently with the release of new allocations.

NMFS also published foreign fishing regulations in a loose-leaf notebook. The new format permits foreigners, enforcement officers, and managers to have a working, easily referenced copy of the regulations. Periodically, new pages incorporating all amendments published in the Federal Register are distributed. The Government saved about \$27,000 in printing costs in 1979 by using this format instead of replicating the entire set for 1980.

#### Benefit/Cost Analysis of FCMA

In response to a request from Congressman John M. Murphy, Chairman of the U.S. House of Representatives Committee on Merchant Marine and Fisheries, NMFS contracted for a study of the impacts of FCMA to determine the economic impacts of the Act to date and in the future. In addition, the study will provide an analytical framework for future analysis. The short- and long-term impacts of the FCMA are assessed within the context of actual or potential increases in catch, which provide an increased flow of benefits to all sectors of the fishing industry. The study also estimates the cost of managing and enforcing the Act, and compares those costs to the projected benefits. Findings of the report are still under review.

#### Meeting of Economists

Consistent with the need for increased emphasis on economic research in support of the FCMA, NMFS economists met in Tiburon, Calif., in October 1979. "Economic Analysis Under FCMA" was the major topic of discussion. The subjects covered included discussion of the plan development process, legislative and administrative requirements, economic analysis of regulatory alternatives, and evaluation of the foreign fee system. In addition, a representative of Florida State University presented the results of a study on the short-term and long-term impacts of FCMA, and a representative of Stanford University presented the results of the joint university and NMFS effort to apply the Stanford fisheries management model to the Tortugas shrimp fishery. The second day of the meeting was devoted to a discussion of the economic analysis of fishery development and policy issues with important economic implications. NMFS economic and administrative personnel, and economists from a number of universities attended.

#### Inter/Intra-Agency Coordination/Cooperation

##### Coastal Zone Management

The Office of Coastal Zone Management (OCZM) is encouraging the States to use their coastal zone management (CZM) programs to support fishery activities. OCZM has developed Coastal Fishery Assistance (CFA) Guidelines to help strengthen the fishery component of existing State CZM programs. State CZM managers are encouraged through the CFA Guidelines to fund coastal fishery projects relative to:

- (1) Identification of fishery management needs;
- (2) Information and data collection for fishery management and planning; and

- (3) Development of specific species management plans.

In FY 1979, twenty-four States spent about \$3 million of CZM funds on fisheries projects and activities.

#### Marine Mammal Protection

The Marine Mammal Protection Act of 1972 (MMPA) established with certain exceptions a moratorium on the taking (harassing, injuring, or killing) of marine mammals. A permit system was established in 1974 to allow the incidental taking of marine mammals by domestic fishermen during commercial fishing operations. The MMPA was amended to include the waters of the FCZ, and general permits have been issued to foreign fishermen whose nations hold GIFA's under this extended jurisdiction provision since 1977. (See table 9 for 1979 information about permits requested and granted for taking marine mammals incidental to commercial fishing.)

Procedures for addressing marine mammals and endangered species issues were incorporated into Operational Guidelines for the FMP Process.

#### Sea Grant

The NOAA Office of Sea Grant (OSG) had over \$500,000 in projects directly related to FCMA in 1979. The research was conducted in three principal areas: (1) stock assessment, including work on herring, salmon, tilefish, ocean quahog, and swordfish; (2) study of recruitment of new fish into a population; and (3) socioeconomic and management/policy studies, including work to develop and test bioeconomic fishery management models, analysis of the effectiveness of FCMA, analysis of the economic potential of new fishery ventures, and development of a body of information to improve the understanding of all groups involved in the fishing business.

Some examples of important projects are listed below:

- (1) University of Delaware Sea Grant College Program is completing a project that provides a computer simulation model to analyze multipurpose fishing fleets in multistock fisheries. This model will predict the biological and economic impacts of different fishery management policy decisions so that various policies can be tested without having to implement them. Both the New England and Mid-Atlantic Councils have expressed interest in using the model, which will be available by mid-1980.
- (2) NORFISH II, a joint SG/NMFS effort led by investigators of the University of Washington, has shown significant progress midway through a 4-year project toward its major goal of providing a regional fishery analysis system designed to give an analytical overview of complex fishery interactions. Studies of the maximum potential harvest of groundfish that could be derived by using effort from existing vessels not currently devoted to high-value shellfisheries and the economic incentives necessary to stimulate vessel operators to pursue groundfish are being made. This information will be incorporated into

the next series of FMP's for North Pacific groundfish. Also, the University of Washington Sea Grant investigators are refining a microcomputer-based display system used to depict graphically the consequences of different types of fishery resource management decisions. The color graphics screen displays the results of two alternative strategies in terms of both the average harvest trends as well as the expected variability in harvest.

- (3) The Massachusetts Institute of Technology, through Sea Grant investigators has produced a computer model to estimate stocks of yellowtail flounder Georges Bank.
- (4) A number of investigations at Oregon State University have assisted the Pacific Council, the Oregon Department of Fish and Wildlife, and the NMFS Northwest and Alaska Fisheries Center in providing a data base for managing the various fisheries, especially in relation to foreign fishing quotas. Their efforts have produced catch maps of commercial target species, yield models for several fisheries, information pertaining to fishery economics, investment considerations, legislative and regulatory impacts, public policy issues and impacts of policy objectives, and the interactions between the ecological and social system involved.
- (5) Florida State University, in a project sponsored by the Florida Sea Grant Program and NMFS, is analyzing the economic benefits and costs of the FCMA. By separating the analyses into "short-run" and "long-run", an economic perspective may be reached on how well FCMA is working now and can be expected to work in the future.
- (6) While Sea Grant researchers have been involved in investigating resource questions, advisory personnel are providing assistance explaining FCMA so that fisheries clientele can participate better in the management process. In this regard, Sea Grant communicators have produced a radio program on northeast fishery management issues. This program is coordinated by the University of Rhode Island and began in December 1979. The weekly program is distributed to some 15 coastal commercial radio stations between Maine and Long Island. Although intended primarily to provide fishermen with information on fishery management, the program also focuses on issues of concern to recreational fishermen and consumers.

#### Enforcement Regime

NMFS and the U.S. Coast Guard share the responsibility for enforcing the FCMA. NMFS' special agents enforce the Act ashore through dockside inspections of fishing vessels, fishing gear, catches, logbooks, and landing records. At sea the Coast Guard operates aerial and surface patrol craft to determine compliance with area and season restrictions. Inspections conducted at sea also are used to determine compliance with catch restrictions, logbook requirements, and other provisions of fishery management plans. NMFS agents accompany Coast Guard patrol craft on an as-needed and as-available basis to provide fishery enforcement expertise.



## Foreign

Foreign fishing within the U.S. FCZ is controlled primarily by area and season closures, gear restrictions, and catch quotas expressed by limitations on quantity and/or effort. In 1979 there were seven major violations of foreign fishing regulations, all of which involved harvesting fish greatly in excess of the amounts recorded in the vessel's logs. These violations involved the retention and concealment of about 2,000 metric tons (t) of fish. One violation included concealment of 11 t of halibut, a species expressly forbidden to foreign fishermen. In terms of the percentage of total fish caught by these vessels, these violations represented underlogging in amounts ranging from 25 to 60 percent of the total catch on board. These occurrences constitute formidable and repetitive violations of the FCMA and reflect a serious threat to the effective management of fishery resources. Penalties for six of these violations included revocation or suspension of the vessels' permits, the first use of this type of penalty. Recommendations for substantial fines have been made in every case.

In the past, NMFS has depended primarily upon catch reports provided by foreign fishing vessels to measure compliance with quotas. The number of foreign vessels actively engaging in fishing activities has prohibited sufficient coverage by U.S. observers to enable NMFS to rely upon its own estimates of the foreign catch. NMFS now places a significant emphasis on inspection of the vessels' holds during routine inspections. (See tables 10 and 11 (page 28) for information about FCMA violations and enforcement activities in 1979.)

## Domestic

U.S. vessels fishing in the U.S. FCZ in some fisheries are regulated by the same type of restrictions that apply to foreign vessels (i.e., area and season closures, catch quotas, and gear restrictions). In 1979, nine U.S. fisheries were regulated under the FCMA (Atlantic groundfish, Atlantic surf clam and ocean quahog, Atlantic herring, Alaska Tanner crab, Gulf of Alaska groundfish, North Pacific anchovy, Gulf of Mexico stone crab, commercial and recreational salmon fisheries off the coasts of Washington, Oregon, and California, and Alaska high-seas salmon) were regulated under the FCMA.

In the Pacific salmon fishery, the restrictions apply to commercial and recreational salmon troll fisheries off the coasts of Washington, Oregon, and California only. FCMA regulations do not apply to fishing under the United States and Canadian Convention for the Protection, Preservation, and Extension of the Sockeye Salmon Fishery of the Fraser River System, as amended by the Pink Salmon Protocol.

In 1979 there was one major domestic violation of the FCMA. This violation involved the landing of about 26,000 pounds of yellowtail flounder more than the allowable quota. Value of this flounder was \$17,888. This violation resulted in the first permit suspension involving a domestic fisherman under FCMA sanction provisions.

As management plans are completed, the number of regulations governing U.S. participation in U.S. FCZ

fisheries will increase. (See table 11 (page 28) for further information about domestic FCMA violations and enforcement activities in 1979.)

## Foreign Fishing Vessel Observer Program

The FCMA Conference Report (No. 94-948) states that it is the sense of the Congress that Governing International Fishery Agreements (GIFA's) contain a binding commitment on the part of foreign fishing nations to permit U.S. observers aboard their fishing vessels, and that the United States "be reimbursed for the cost of such observers." GIFA's thus serve as the basis for placing observers aboard foreign fishing vessels and billing foreign fishing nations for the cost of observer coverage. The program has two broad national objectives, which are (1) to collect biological data that describe the size and species composition of the foreign catch and which may also be used for stock assessment purposes, and (2) to prevent violations of the foreign fishing regulations and other applicable laws. The program is implemented through four NMFS field stations: the Northeast, Southeast, Northwest and Alaska Regions, and the Southwest Fisheries Center.

Observers have both a data collection role and a compliance role, and currently collect data on foreign catch and effort, foreign compliance with fishery and marine mammal regulations, biology of selected species, and incidence of marine mammals. Observers may also tag selected species, collect information on foreign catching and processing technology, advise masters of infractions, confer with masters on actual weight of catch, and summon the Coast Guard for immediate action on serious violations. Observers do not have enforcement authority.

Optimum observer coverage varies from fishery to fishery for biological, compliance, and management reasons. As a general rule, coverage needs to be established at the 20-percent level to meet all program objectives, but in some fisheries, coverage needs to be increased considerably above the 20-percent level to assure compliance or to collect stock assessment data. (See table 12, page 29, for statistics concerning observer coverage in 1979.)

The costs of placing observers aboard foreign vessels are billed to the foreign governments, but receipts are deposited in the general treasury and do not go directly to support the program. The program must, therefore, compete with other NMFS programs for available funds and personnel ceilings.

Issues that must be resolved in the near future are optimum observer coverage in each fishery; the role of the observer, especially with respect to compliance; the use of observers on U.S. vessels; and the source of funding. A program evaluation, currently in progress, addresses these issues, and recommendations will be forthcoming upon its completion.

## Information and Education Efforts

### Public Affairs Workshop

The NOAA Public Affairs Office held a workshop for representatives of the Councils and staff members of NMFS Regional Offices on April 16-17, 1979, in Washington, D.C.

All but one Council was represented at the workshop. Members of the Northeast and Southeast Regional Offices attended as well as a representative from the Atlantic States Marine Fisheries Commission and NMFS headquarters staff.

The workshop treated preparing news releases; preparing and holding press conferences and briefings; working with radio and television; preparing pamphlets, fact sheets, and brochures; and advancing and promoting special events and public meetings.

#### Consumer Workshop

NMFS sponsored a workshop entitled, U.S. Fisheries—A Consumer Workshop on November 9, 1979, in Washington, D.C., for various consumer interest groups. Since the final outcome of the management of the fisheries directly affects each consumer in the marketplace, the workshop provided an opportunity for consumer interest groups to offer their views on the direction the management plans should take. It also provided an opportunity to discuss the various ways consumers can contribute to the formulation of fishery management plans.

#### Judicial Action

##### United States v. KAIYO MARU No. 53 (D. Alaska) Civ. No. A79160

On January 2, 1979, the Coast Guard seized the KAIYO MARU, a Japanese stern trawler fishing in the FCZ off Alaska. Inspection revealed massive underlogging of valuable species such as ocean perch and squid, as well as 11.57 t of halibut, a prohibited species. As a result, the United States initiated a civil forfeiture proceeding against the vessel in the Federal District Court for Alaska. The agency, on the same day, issued a notice of permit sanction in which it revoked the vessel's permit, effective immediately, and with prejudice to the issuance of a new permit until 1981. The owner sought to challenge the immediate revocation of the permit, but, in an opinion of July 16, 1979, a Federal magistrate upheld the agency's action. The district court on February 1, 1980, held that permit sanctions could be imposed only after a hearing had been held to determine whether the vessel was used in committing a violation.

##### United States v. TSUDA MARU (D. Alaska 1979) 470 F. Supp. 1223

The Japanese fishing vessel TSUDA MARU was seized in January 1979. Permit sanction proceedings were instituted, based on charges that the vessel was violating FCMA regulations (i.e., for significant underlogging of its catch). The United States also initiated a civil forfeiture action against the vessel in the Federal District Court for Alaska. The plaintiff challenged the Government's suit by claiming that the warrantless search of the TSUDA MARU, which resulted in the discovery of the violation, was invalid. The court, however, ruled that the agency's actions were constitutional and that routine warrantless inspections to enforce FCMA were valid.

##### New England Fish Company v. Kreps

On May 1, 1979, the New England Fish Company and certain other U.S. fish processors and a fishermen's

group filed a civil suit #79-1196 in U.S. District Court in Washington, D.C., challenging NOAA's interpretation and implementation of Public Law 95-354, the so-called "joint venture amendment" to FCMA. Plaintiffs alleged, among other things, that the public had not been given an adequate opportunity to comment on certain applications for foreign fishing vessels that would engage in joint ventures, that NMFS had failed to rely on U.S. processors' statements of intent as determinative of how much fish they would process, and that fish caught by U.S. harvesters and processed by foreign fishing vessels in joint ventures should count against the total allowable level of foreign fishing (TALFF). Defendants sought to invalidate permits that had been issued to Korean vessels for a joint venture off Alaska, and to prevent issuance of similar permits to certain U.S.S.R. vessels.

NOAA's answer to the complaint generally denied that the agency had acted illegally in any way concerning the subject joint venture permits and determinations. Korea Marine Industries Development Corporation (KMIDC) intervened in the case. In December 1979, plaintiffs and the Government defendants submitted a settlement agreement for the approval of Judge Joyce Hens Green. In the proposed settlement agreement filed with the court, NOAA agreed to clarify the procedures that allow the public to comment on foreign joint venture applications before decisions are made on them. NOAA also agreed to make available to the public an explanation of how the agency determines its estimates of U.S. harvest, the amounts that will be used by U.S. fish processors, and how much of the U.S. harvest may be made available for joint ventures. Confidential data used to determine the estimates would not be made public.

Settlement negotiations between plaintiffs and intervenor KMIDC were ongoing at the end of 1979.

##### Confederated Tribes v. Kreps (Civil #79-541)

This case was filed on May 18, 1979, in the Federal District Court for the District of Oregon. The original plaintiffs were four Indian tribes with adjudicated treaty fishing rights on the Columbia River. The complaint alleged that the 1979 regulations implementing the Fishery Management Plan for the Commercial and Recreational Salmon Fishery off the Coasts of Washington, Oregon, and California did not allow a sufficient number of salmon to enter the Columbia River to comply with their treaty fishing rights. Other Washington and Idaho tribes subsequently intervened as plaintiffs. Commercial troll organizations and the States of Oregon and Washington also intervened.

The District Court heard argument on July 11, 1979. At that time the court remanded the regulations to the Secretary of Commerce to reconsider their impact on treaty Indian fishing, particularly in light of the standards enunciated in the recent U.S. Supreme Court decision in Washington v. Washington State Commercial Passenger Fishing Vessel Assn. et al, 47 U.S.L.W. 4978 (July 2, 1979). On July 23, the court ordered the Secretary to implement emergency regulations designed to increase salmon escapement to rivers of interest to the treaty tribes. Emergency appeals were taken by intervening troll organizations to the Ninth Circuit Court of Appeals and to Supreme Court Justice Rehnquist. In response to an order



issued by Justice Rehnquist on August 30, the Ninth Circuit Court of Appeals stayed part of the District Court's order on procedural grounds. The stay, however, did not affect the ocean salmon regulations. The trollers have subsequently dismissed their appeal in this case.

#### Stafne v. Frank (Civil #79-93S)

This case was filed in the U.S. District Court for the Western District of Washington on January 18, 1979, by a representative of a Washington troll association. Plaintiff sought to compel disclosure of NOAA General Counsel legal opinions relating to the 1978 Fishery Management Plan for Commercial and Recreational Salmon Fisheries off the Coasts of Washington, Oregon, and California under the Freedom of Information Act (FOIA). The Court ruled on November 8, 1979, that the documents were privileged and exempt from disclosure under FOIA.

#### Litigation Concerning the Northern Mariana Islands

Three separate lawsuits, asserting that FCMA does not apply to the Northern Mariana Islands (NMI), were filed in the U.S. District Court for the Northern Mariana Islands during 1979. In two of the lawsuits, Marianas Fisheries, Inc. v. Kreps (Civil #79-031), and Commonwealth of the Northern Mariana Islands v. United States (Civil #79-041), the plaintiffs claimed that FCMA and certain regulations promulgated thereunder prevented them from using a Japanese-built, CNMI-registered vessel, the M/V OLWOL, in the fishery conservation zone (FCZ) around the CNMI. In the third suit, Matsunaga v. Anderson (Civil #79-033), the plaintiffs alleged that FCMA and its regulations prevented them from using three CNMI-registered fishing vessels in the CNMI fishery conservation zone. NOAA's answer to each suit states the U.S. Government's position that the FCMA does apply in the NMI.

A proposed Presidential proclamation, which would allow citizens of the NMI or the government of the NMI to use foreign-built, U.S.-registered fishing vessels, owned by such citizens or owned by or in the custody of the Government of the NMI, to fish in the territorial sea and FCZ around the NMI and to land their catch of fish in the NMI, was under consideration by U.S. Government agencies at the end of 1979. The proclamation would moot the three lawsuits discussed above.

#### Massachusetts Inshore Draggermen's Association v. Hanks (Civil #791169-N)

The Massachusetts Inshore Draggermen's Association filed a complaint in the U.S. District Court in Massachusetts on June 18, 1979. The suit challenged those regulations implementing the Atlantic Groundfish and Herring FMP's, which require fishermen to report catch data on logbook forms.

Plaintiffs' motion for a preliminary injunction against enforcement of the challenged regulations alleged that NOAA has usurped the New England Council's authority to manage fisheries by promulgating the logbook regulations. It also claimed that the regulations violate the fishermen's privilege against self-incrimination. NOAA's memorandum opposing the motion for preliminary injunction asserted the agency's

authority and responsibility under FCMA and under the two FMP's to require data reporting. It mentioned NOAA's policy in the groundfish fishery not to allow access to logbooks for enforcement purposes (other than enforcement of the requirement that logbooks be maintained and submitted) for an experimental period of 1 year.

#### Policy Development

#### Current Concepts in Optimum Yield (OY)

Section 303(a) of FCMA requires the assessment and specification of an annual OY for each fishery being managed under a preliminary fishery management plan (PMP) or a fishery management plan (FMP). The FCMA defines OY as the amount of fish that (1) will provide the greatest overall benefit to the Nation, and (2) is prescribed as such based on the maximum sustainable yield (MSY), modified by any relevant economic, social, or ecological factor.

The concept of optimum yield has, in fact, evolved to respond to unique problems of the various kinds of fisheries. The procedures for determining OY should be clear and sufficiently flexible to allow for variations among fishery resources in terms of yield as well as the local, regional, and national uses. Optimum yield is a dynamic concept. Each specification of OY may be valid only for a limited time because the biological, ecological, social, and economic aspects of the fishery are constantly changing. The OY specified in a PMP or FMP needs to be monitored and revised periodically to achieve explicit long-term or multiyear objectives. In addition, since OY is an amount that, in combination with the domestic annual harvest (DAH), determines the total allowable level of foreign fishing (TALFF), it must be calculated at least once a year.

Optimum yield can be defined in a number of ways: (1) as a number which functions as a quota (Atlantic groundfish, Atlantic herring, Tanner crab, Pacific salmon, high-seas salmon, surf clam and ocean quahog, squid, mackerel, butterfish, precious coral, Pacific trawl fishery, Gulf of Alaska groundfish, and Bering Sea groundfish); (2) as a description incorporating biological characteristics (stone crab, Gulf of Mexico shrimp); (3) as a percentage of another species in the management unit; (4) as a result of a model or formula using environmental or biological characteristics (original FMP for Atlantic herring); or (5) as a range with a yearly fixed point (northern anchovy). There may be other ways to specify OY.

In a multispecies fishery such as Bering Sea groundfish, individual species may have an OY, they may be lumped into an "other" species category with a single OY, or they may be included in the plan but not in the management unit, as non-OY species.

Optimum yield may be set at, below, or above MSY. MSY is considered to be a long-term average around which the population fluctuates. In certain fisheries for short-lived species, OY may be set equal to MSY without fear of overfishing, and may be set at less than MSY for biological or economic considerations. A level of OY greater than MSY might be called for under extraordinary economic, biological, or social circumstances.

In August 1978, an amendment to the FCMA (Public Law 95-354) was passed which set out conditions under which foreign fish processing vessels may receive U.S.-harvested fish in the FCZ. The Department of Commerce proposed guidelines to implement this amendment February 7, 1979.

The amendment allows permits to be issued for foreign fishing vessels "to receive at sea United States harvested fish" (so-called joint venture processing), unless the Secretary of Commerce determines that U.S. fish processors have adequate capacity, and will use such capacity, to process all U.S.-harvested fish from the fishery concerned. The amount of U.S.-harvested fish that may be received by permitted foreign vessels may not exceed that portion of the U.S. harvest which processors will not use.

Before passage of the amendment, FCMA required that optimum yield, total allowable level of foreign fishing, and the estimate of "the capacity and extent to which fishing vessels of the United States, on an annual basis, will harvest the optimum yield" be specified. The latter estimate often is referred to as domestic annual harvest (DAH). The amendment added a new requirement: to estimate the capacity and extent to which "United States fish processors, on an annual basis, will process that portion of optimum yield that will be harvested by fishing vessels of the United States." The new specification is often called domestic annual processing (DAP). Joint venture processing (JVP) may only be permitted to the extent that U.S. harvesting capacity exceeds U.S. processing capacity (i.e., by the amount that DAH is greater than DAP). All fishery management plans must contain specifications of the estimated amounts of U.S.-harvested fish that domestic processors will use, and any excess amounts available for joint venture processing. Both of these amounts should be used in estimating domestic annual harvest. As plans that were implemented before the passage of Public Law 95-354 amended, appropriate specifications are being added.

These specifications of JVP and DAP are pivotal in plans where applications for joint venture processing are received or anticipated. In 1979 foreign fishing permits authorizing joint venture processing were issued for Soviet vessels in the West Coast hake fishery and for some Soviet and Korean vessels in the Gulf of Alaska, after the estimates were specified in the appropriate plans.

NOAA sought public comments on the interim guidelines until June 4 to improve the guidance sought by the Councils in dealing with joint venture applications. The issues needing further resolution were the degree of preference which could be accorded to domestic processors through permit limitations on foreign processing vessels (time, area, and gear restrictions); methods of assessing the performance of U.S. harvesters, U.S. processors, and foreign joint venture processors; and procedures for estimating the U.S. harvest and what part of the harvest will be used by U.S. fish processors. Final regulations defining the policy will be published early in 1980.

Following the 1978 meetings with Council representatives to review the process for developing, approving, and implementing FMP's, NMFS held a series of regional workshops with Council staff and members to examine the processes in detail. Many useful suggestions were made and were incorporated in a final procedure. The process was published as "Operational Guidelines for the Fishery Management Plan Process - Part I." The guidelines display each of the seven phases of the process in diagram form, showing the sequence of events that have to be completed. The phases, which include a detailed narrative description of the nature, sequence, and timing of the events for each, are:

- I. Preplanning
- II. Draft FMP Development
- III. Public Review and Council Adoption
- IV. Secretarial Review
- V. Regulation
- VI. Continuing Fishery Management
- VII. FMP Amendments

The major innovations in the FMP process include:

- (1) Consolidated FMP - The Environmental Impact Statement (required under National Environmental Policy Act (NEPA)) and the regulatory analysis (required under E.O. 12044) will be incorporated within the text of the FMP, with appropriate cross-references to avoid redundant discussion of issues.
- (2) Draft proposed regulations - These will be appended to draft FMP's to allow the public to assess impacts at the earliest possible time.
- (3) Multiyear FMP's - The Councils are being urged to prepare "framework" FMP's. The initial review process for such FMP's will be as long as conventional plans, but the plans will be flexible enough to allow for subsequent management actions through changes in regulations rather than by FMP amendment.
- (4) Abbreviated FMP's - Councils are urged to prepare brief, easy-to-read FMP's, directed at the general public, with the detailed scientific supportive documentation available upon request.
- (5) Scoping/work plan meetings - Scoping meetings (under NEPA) would be: (1) mandatory, (2) the basis for determining whether an FMP needs to be prepared and implementing regulations promulgated, and (3) the foundation for the preparation of the work plan required under E.O. 12044. Preliminary cost estimates can be made at this time.
- (6) Informal advance review of FMP's - NMFS and NOAA Office of the General Counsel for Fisheries will make an intensive review of draft



FMP's and provide comments to the Councils. Policy issues will be addressed at this time. Provided no new issues are raised in a Council's final FMP, Secretarial review, under Section 304(a), should be completed well within the 60 days authorized.

- (7) Final regulations - The final Environmental Impact Statement will be based on the final regulations as the NEPA "major Federal action," rather than on FMP approval.
- (8) Monitoring and evaluation - Procedures, conditions, and circumstances will be identified in the FMP for achieving the stated objectives, refining management measures, and amending FMP's. Through the monitoring and evaluation procedures it will be possible to ascertain attainment of FMP objectives and to assess the effectiveness of the FMP.
- (9) Information/data voids - The FMP will identify biological research, data, socioeconomic information, habitat protection, State cooperative agreements, enforcement requirements, etc., that are necessary to implement and refine management measures. The costs of these various requirements also will be available, and will be considered in the approval process.
- (10) Tracking system - A computerized time/event tracking system that for the FMP process has been developed, with the computer terminals at Councils, NMFS Regions, and the NMFS Central Office.
- (11) Administrative record - A computerized administrative record indexing system that identifies documents involved in the FMP process has been established with access by Councils and NMFS.

To simplify the process further, Part II - Operational Guidelines, completed but not published in 1979, provides a series of examples of documents used in the process, and legislative and administrative references.

#### State/Federal Fisheries Management Program

Calendar year 1979 portended change for the State/Federal Fisheries Management Program (SFFMP). In recognition of the number of interrelated Congressional mandates for which NOAA has active responsibilities (e.g., the Fishery Conservation and Management Act, Marine Mammal Protection Act, Coastal Zone Management Act, Endangered Species Act, Fish and Wildlife Conservation Act) that depend on effective State/Federal cooperation, a comprehensive reevaluation of NOAA's State/Federal relationships and arrangements was begun. Representatives of NOAA's National Marine Fisheries Service (NMFS), Office of Coastal Zone Management (OCZM), and Office of Sea Grant (OSG) met extensively to discuss problems, needs, and priorities related particularly to living marine and coastal resources. Special attention was given to identifying options that would improve and strengthen State/Federal relationships involving such resources.

This introspective process will continue in 1980, and policy options analyses will be shared with the States, Councils, and Interstate Fisheries Commissions for review and comment. It is anticipated that policy decisions will be made during 1980 to improve program integration among NMFS, OCZM, and OSG, and between NOAA as a whole and State agencies.

#### Billfish in Tuna Longline Fishery

During 1979 several of the Councils and members of the Congress asked for clarification of the NOAA position concerning the authority, under FCMA, to regulate the incidental catch of billfish by Japanese longline tuna vessels in the United States 200-mile zone. NOAA has prepared a legal analysis providing guidance on factors to be considered when imposing regulations that may affect foreign longline vessels fishing for tuna. On October 15, 1979, it was sent to the Chairman of the House Subcommittee on Fisheries and Wildlife Conservation and the Environment, the Councils, and others. In summary, the analysis concludes: a billfish management plan may contain management measures which affect foreign longline fishing for tuna in the FCZ, including area closures and season or gear restrictions, if the measures will (1) provide a reasonable opportunity for foreign longline vessels to fish for tuna in the FCZ, and (2) impose the least burden on such vessels that will achieve conservation and management of the billfish covered by the plan. A careful, case-by-case analysis of the purposes, scope, and effects of each management measure will be necessary to ensure consistency with FCMA and the U.S. legal position concerning international management of tuna fisheries.

#### Access to Confidential Statistics

Collection of detailed data on U.S. fisheries began in 1880 and has since developed under the authority of nearly 30 different statutes and conventions. Over the years NMFS, and its various predecessors, has collected data on harvesting, processing, distribution, and selling of fishery products; it has likewise collected data on the biological, economic, and sociological factors associated with U.S. fisheries. Analyses of the several relationships implicit in such data assist the implementation of a variety of fishery laws and contribute to popular understanding, both here and abroad, of the U.S. fishing industry and fishery resources. Protection of sensitive fishery data was often accomplished through signed agreements--a pledge of confidentiality offered in return for providing accurate information on a voluntary basis, in many cases for a specific purpose. Many procedural changes have improved the completeness and accuracy of the fishery statistics and improved their usefulness to the public. Standardized guidelines for the acquisition, use, safeguarding, and dissemination of confidential information collected by the Department of Commerce were issued in August 1974 and have, in conjunction with the Freedom of Information Act, the Federal Reports Act, and the Privacy Act, governed the NMFS statistical program until the advent of FCMA.

FCMA, as amended, created a mandatory reporting requirement, to be specified in all FMP's on

... information regarding the type and quantity of fishing gear used, catch by species in numbers

of fish or weight thereof, areas in which fishing was engaged in, time of fishing, number of hauls, and the estimated processing capacity of, and the actual processing capacity utilized by United States fish processors. (Section 303(a)(5)).

The primary purpose of this reporting requirement is to provide NMFS and the Councils with sufficient data upon which to base its fishery management actions. This information is protected from disclosure to the public by Section 303(d), which provides:

Any statistics submitted to the Secretary by any person in compliance with any requirement under section 303(a)(5) shall be confidential and shall not be disclosed except when required under court order. The Secretary shall, by regulation, prescribe such procedures as may be necessary to preserve such confidentiality, except that the Secretary may release or make public any such statistics in any aggregate or summary form which does not directly or indirectly disclose the identity or business of any person who submits such statistics.

Several policy issues inherent in the handling of confidential fishery data under the FCMA were examined during 1979. This review resulted in the publication on December 7, 1979, of Interim Final Regulations on Confidentiality of FCMA Statistics, with a comment period ending February 25, 1980 (FR 44 70480). This was followed by the issuance in January 1980 of NOAA Directive 88-30 covering NMFS handling of all confidential fishery statistics. The major policy change represented in these two documents involves limiting access to FCMA confidential statistics to NOAA/NMFS and State personnel and their contractors under specified conditions. In addition, a regional 1-year experimental policy that limits NMFS enforcement agents' access to logbooks in the Atlantic groundfish fishery is to be evaluated by January 1, 1981.

#### **Fishery Development**

Reflecting the goal of obtaining the greatest overall benefits to the Nation from our fish resources, a significant effort has been undertaken by NMFS to encourage and support the U.S. fishing industry in developing a capability to harvest and process fish resources currently harvested and processed by foreign countries. Full use of our fish resources by the U.S. fishing industry would result in significant increases in employment and incomes as well as decreases in the foreign trade deficit in fishery products. The major fish resources that can be developed include Alaska groundfish, Pacific whiting and squid, and Atlantic whiting. Fisheries development efforts have been enhanced by FCMA, which allows increased use by the U.S. fishing industry to be achieved through coordinated decreases in fishing effort by foreign fishing vessels. This prevents harvesting activities from increasing in a manner that would prevent or reduce the ability of a resource to sustain itself.

#### **Research/Data Collection**

The FCMA has increased requests for all types of data on fisheries. Thus the collection, compilation, storage, dissemination, and management of fishery data are

being accelerated. All NMFS Regions are developing information systems to respond to the needs for fishery data by the Councils and other users.

NMFS continues to collect commercial fishery statistics and publish Fishery Market News Reports with information on domestic and foreign markets three times a week (including current supply/demand/price data, landings, and imports).

#### **Socioeconomic Data Needs**

In 1978 NMFS began efforts to develop a 5-year plan for collecting socioeconomic data needed for development of fishery management plans. Two contracts were let for this purpose. One contract was to determine socioeconomic data needed on the commercial fisheries by priority (including commercial activities associated with marine recreational fishing), data now available, and data that will need to be collected by priority. The other contract was to determine the same data needs for the recreational fisheries, and because of the problems in collecting data on the recreational fisheries, develop the most cost-effective methodology for collecting these data. The commercial study was completed in July 1979 and the recreational study in November 1979. These studies included the needs of the Councils, NMFS, States, universities, and others interested in the fisheries. The results of these studies were used to draft a 5-year plan for collecting socioeconomic data, which was completed in August and was circulated for review. On the basis of this draft it was decided that the plan should also include socioeconomic research and analysis. At the end of the year work was still under way to complete this plan.

On the basis of what will be in the plan, efforts were underway at the end of the year to begin collecting some of the high-priority data that had been identified. A contract will be let in 1980 to collect data on the recreational fisheries and do a nationwide study on fish consumption patterns.

#### **Marine Recreational Fisheries**

Marine recreational fishing represents a significant use of the Nation's living marine resources and must be considered an integral part of any program to manage these resources. In the United States, most marine species are harvested both by recreational and commercial fishermen. Effective fishery management requires, among other things, accurate and timely statistics on catch and effort of recreationally and commercially caught fish. Such data are required under FCMA as input to fishery management plans. The determination of optimum yield (OY) and allocation to the various user groups is not possible without basic information on the part of the total catch and effort attributable to the recreational fisheries. A relatively good system for collecting and publishing U.S. commercial fishery statistics has been developed in cooperation with the States, but not U.S. marine recreational fishery statistics. Before November 1978, efforts to obtain data on marine recreational fisheries were generally inadequate to meet data requirements under FCMA.



One of the most noteworthy accomplishments during 1979 has been the expansion of our efforts, in cooperation with the States, the Councils, and the Marine Fisheries Commissions, to develop a regionally coordinated, nationwide system for the collection, analysis, and dissemination of marine recreational fishery statistics. Initially, the survey started in November 1978 and included the Atlantic coast, the Gulf coast, the Caribbean area (Puerto Rico and the U.S. Virgin Islands), and the Western Pacific area (Hawaii, Guam, and American Samoa). The survey was started in July 1979 on the Pacific coast (California, Oregon, and Washington). Since the Alaska Department of Fish and Game makes an annual survey of recreational fisheries, Alaska is not included in the NMFS survey effort. Starting in March 1980, the results of the NMFS survey will be available to the Councils and others on a bimonthly basis. NMFS believes that the survey should be made for 5 years, on a continuous basis, to develop a good nationwide data collection system for marine recreational fishery statistics.

#### Coastwide Data File - West Coast

The States of California, Oregon, and Washington completed development of statewide fishery data files in a compatible format to permit merger into a coastwide data file by the NMFS Southwest Fisheries Center. The Coastwide Data File will provide statistical summaries for use by the States, the Pacific Council, and NMFS in developing, monitoring, and amending FMP's.

#### New England/Mid-Atlantic Efforts

Cooperative State/Federal data collection and management efforts were initiated in the New England and Mid-Atlantic areas. The primary purpose of these efforts is to determine mutual State/Federal data collection and management policy and needs, and to develop strategies for satisfying those needs. The New England and Mid-Atlantic regional efforts are being coordinated as appropriate with similar activities in the South Atlantic area.

#### NMFS Research Assistance to Councils

FCMA mandates that NMFS maintain a comprehensive program of fishery research. Information and knowledge gained from this research is used by the eight Councils to develop fishery management plans. Specifically, NMFS provides assistance to the Councils in the following ways:

- (1) NMFS scientists serve on the Scientific and Statistical Committees of the Councils.
- (2) NMFS personnel assist in drafting of the fishery management plans.
- (3) NMFS maintains close liaison with Council staffs to assure that Councils are aware of and receive information pertinent to the drafting of fishery management plans, and that NMFS responds to the needs of the Councils.
- (4) NMFS has a Marine Resource Monitoring Assessment and Prediction (MARMAP) program that provides information on current status of

the fish stocks as well as predictions on future status and effects of fishery management regulations.

Through the MARMAP program, resource surveys are made at sea to gather biological information on selected species. This information, along with data on landings and fishing effort, are analyzed to produce status-of-stock reports which are used to calculate potential yields for use in fishery management plans. Research is also conducted on the biology (i.e., behavior, life history, physiology) of the important species and the effects of varying oceanographic conditions on the fish stocks.

In 1979 the base MARMAP program coverage was expanded to survey areas in the fishery conservation zone surrounding the Hawaiian Islands and the U.S. trust territories and possessions of the Western Pacific. With the passage of FCMA, these areas gained great potential for development by U.S. fisheries.

NMFS recognizes that the biological data are incomplete for many important species for which fishery management plans are being, or have been, developed. Through the MARMAP program, NMFS is attempting to fill these data gaps. In 1979, research projects such as tagging studies on salmon in the North Pacific and shrimp in the Gulf of Mexico were added to the existing research programs. Surveys of important commercial and recreational species were continued or expanded to provide the best scientific information available to the Councils for formulation of fishery management plans.

#### Habitat Protection

Several of the Councils have been active in habitat protection issues. Some important examples are listed below:

The New England Council took a stand which opposed issuance of an National Pollutant Discharge Elimination System (NPDES) permit by Environmental Protection Agency (EPA) for the proposed Pittston Refinery at Eastport, Maine, because of potential damages to fishery resources and their habitats. The Council also opposed Outer Continental Shelf (OCS) Oil and Gas Lease Sale #42 on Georges Bank, and made negative nominations for tracts of special importance as fishery habitat in the proposed Lease Sale #52 in the same general area. The Council recommended deferral of Sale #52 until the results are available from special studies carried out in connection with Sale #42. The New England Council has also taken a stand against issuance of a Corps of Engineers permit for construction of an artificial reef made of junk automobile tires in Massachusetts Bay, because such a reef could interfere with commercial fishing operations and because there is some question about the need for the reef.

The Mid-Atlantic Council supported the position taken by the National Marine Fisheries Service, Department of Interior Fish and Wildlife Service, and Environmental Protection Agency in opposition to the Corps of Engineers issuing a dredging permit that will allow the construction of the proposed Portsmouth Refinery in Virginia. Tanker traffic associated with

the refinery poses an especially severe threat to the wintering grounds of the blue crab population of Chesapeake Bay and to seed oyster beds of the James River as well as other fishery resources and their habitats. The Council has also taken strong positions concerning continued ocean dumping of sewage sludge and other materials in its coastal sector.

The Gulf of Mexico Council established an Environmental and Management Policy Committee. The committee and the NMFS Regional Office then developed joint criteria, and operating procedures for keeping the Council advised about important habitat protection issues. As a result, the Council was able to review several major proposals and to comment on them in the interest of protecting, restoring, or enhancing fishery habitats. Some of the projects were Mouth of the Colorado River, Tex.; Pinto Pass, Ala.; Louisiana Coastal Zone Management Environmental Impact Statement; Deepwater Port, Tex.; Public Notice (P/N) 79B-063, Deltona Corp., Marco Island, Fla.; P/N (Gulf of Mexico) 2574 and NPDES LA 005-3031 (West Hackberry brineline - Department of Energy).

The Pacific Council has provided comments to committees of the House of Representatives setting forth its views on measures needed in the proposed Pacific Northwest Electric Power Planning and Conservation Act to protect anadromous fishery resources and their habitats in the Columbia River.

In June 1979, the Pacific Council, under contract to NMFS, prepared an important report on fishery habitat, entitled "Freshwater Habitat, Salmon Produced, and Escapements for Natural Spawning along the Pacific Coast of the United States."

The Pacific Council continues to develop its comprehensive fishery management plan, which is attempting to identify habitat problems which may affect the fishery.

The North Pacific Council recommended to NMFS that NOAA oppose the proposed oil and gas lease sales on the OCS in the St. George Basin and Northern Aleutian Shelf areas of Alaska because of potential damages to fishery resources and their habitats.

#### IV. STATUS OF FISHERY MANAGEMENT PLANS

The following is a descriptive inventory of the 10 fishery management plans (FMP's) in place as of January 1, 1980.

##### Atlantic Groundfish (Cod, Haddock, and Yellowtail Flounder) (New England Council)

The overall objective of the plan is to generate, over the period of the plan, the greatest possible economic and social benefits from the harvesting and use of the groundfish resource. It is intended that, by the end of the effective period of the plan, the relevant groundfish stocks shall be able to provide enhanced and relatively stable yields in future years.

The history of management in this fishery since the FMP first took effect in March 1977 has consisted largely of a series of rapid emergency actions. The FMP did not anticipate the rapid influx of new vessels into the fishery, the high demand for groundfish in the marketplace, or the generally favorable fishing weather. Each of these factors has exerted additional pressure on the fishery. The Council designed the management system to control the amount of fish landed through use of quarterly quotas, annual vessel class allocations, weekly trip limits, gear limitations, closed areas, and closures when specified quotas were reached. Despite these limitations, several annual 1978 quotas were reached after only 9 months of fishing. Consequently, the 1979 fishing year was adjusted to begin on October 1, 1978. By the end of 1978 (the first quarter of the 1979 fishing year), several of the vessel class quarterly quotas had been exceeded, and adjustments were necessary for subsequent quarters in 1979 to avoid exceeding OY.

On October 4, 1978, NOAA published emergency regulations to implement the FMP on a fishing year basis (October 1 - September 30), in response to FMP amendments prepared by the New England Council. These emergency regulations were made final on December 29, 1978.

In July 1979, the Secretary of Commerce approved amendments to the FMP which: (1) established increases in the annual OY's and domestic commercial quotas for cod and haddock in both management areas; (2) revised the commercial quarterly allocations for cod and haddock in both management areas, consistent with the increases in the annual quotas; (3) restricted vessels fishing for cod or haddock in both the Gulf of Maine and Georges Bank and South areas to the higher of the appropriate weekly catch limitations from either area; and (4) revised the estimates of U.S. harvesting capacity for cod and haddock. The regulations were amended by emergency action to reflect these amendments.

The emergency amendments to the regulations, the notice of adjustments of catch limitations, and a notice of cod fishery closures for certain vessel classes in the Gulf of Maine took effect July 22, 1979. The emergency regulations increasing cod and haddock OY's were effective until September 30, 1979, the end of the fishing year.

Development of an effective management system for cod, haddock, and yellowtail flounder fisheries that will respond to complex and dynamic biological and socioeconomic conditions remains a high priority of the New England Council. As conceived by the Council, the present groundfish FMP will be replaced by a new "interim" plan for groundfish and then evolve into a multispecies Atlantic Demersal Finfish (ADF) FMP. The Council describes the ADF system as a philosophy and a process of fishery management rather than as an end product. The extensive work on ADF has altered the Council's perception with respect to completion of FMP's for other demersal finfish including pollock, redfish, silver hake, and other hakes. The ADF approach represents a desirable move away from managing a multispecies fishery as if it



were a combination of several separate fisheries. Instead, all stocks affected by the same groundfish fishery will be managed as dynamic components of the demersal finfish resource.

#### Atlantic Herring (New England Council)

This FMP manages all fishing for herring 3 years of age and older in the U.S. FCZ in the North Atlantic. The herring fishery of this area has been considered to be dependent on three distinct herring stocks, all three of which intermingle at times and are harvested together. There also have been two traditional domestic fisheries: one in summer and fall dominated by purse seine vessels, and the other in winter and spring, dominated by pair trawlers. This FMP addresses the Gulf of Maine and Georges Bank stocks. Management measures are designed to rebuild stocks through the establishment of two separate management areas and the setting of quotas by both area and season. Regulations were issued on an emergency basis on December 28, 1978, because it was feared that unrestrained harvest levels in the winter-spring fishery would jeopardize the Gulf of Maine stocks. Final regulations became effective on March 21, 1979.

The major amendments for 1979 are as follows:

- (1) On March 19, 1979, final regulations went into effect to conserve migrating herring by establishing annual harvest limits for the Gulf of Maine and the Georges Bank and South areas.
- (2) An amendment to the FMP was implemented on March 23, 1979, changing catch reporting procedures. It was determined that herring caught west of the 71°50' line from the summer/fall (July 1 - November 30) quota of the Georges Bank and South area, disregarding when the fish were caught, would encourage fishermen to concentrate their efforts on the Georges Bank herring stock and reduce fishing pressure on the Gulf of Maine stock during seasonal migration.
- (3) An amendment extending the FMP through the fishing year 1979/80 (July 1, 1979 - June 30, 1980) was implemented through emergency regulations effective July 1, 1979.

The abundance of herring in the Gulf of Maine increased greatly in 1979, thus achieving the objective of the plan to rebuild that stock.

#### Surf Clam and Ocean Quahog Fisheries (Mid-Atlantic Council)

In 1979, the surf clam and ocean quahog fisheries operated under continuation of the 1977 and 1978 FMP's, initiated as a result of declining surf clam abundance and overcapitalization in the fleet. Management measures included the application of closed areas, effort restrictions, quarterly quotas, and a surf clam vessel moratorium. Despite the downward adjustment of fishing periods during some quarters,

quarterly quotas for surf clams were exceeded, necessitating temporary closures of the surf clam fishery.

Objectives are: (1) to rebuild the declining surf clam population to allow eventual harvesting approaching the 50-million-pound level, which was the best estimate of the maximum sustainable yield (MSY) based on the average yearly catch from 1960 to 1976; (2) to minimize the short-term economic dislocations to the extent possible consistent with the first objective and to promote economic efficiency; and (3) to prevent the harvest of the ocean quahog from exceeding biologically sound sustainable yield levels, and to direct the fishery toward maintaining OY.

On October 1, 1979, an amendment was implemented, the purpose of which was to regulate fishing during the period beginning October 1, 1979, and ending on December 31, 1979. This amendment also revised reporting requirements to bring them into compliance with the amended FCMA, and extended the vessel moratorium.

On November 9, 1979, an amendment was approved that extended the FMP for 2 years by establishing OY and quotas for 1980 and 1981, with an increase in each year of the OY for ocean quahogs. The amendment also provided for a makeup day for surf clam fishing time lost to bad winter weather, established a separate management area and management measures for the New England fishery as provided for in the regulations, and closed two areas to fishing for surf clams to conserve small surf clams.

#### Atlantic Squid (Mid-Atlantic Council)

The Atlantic Squid FMP was prepared by the Mid-Atlantic Council in cooperation with the New England and South Atlantic Councils. It contains management measures to regulate fishing for two species of squid (*Loligo pealei* and *Illex illecebrosus*). This FMP was approved by the Secretary of Commerce on June 6, 1979, and implemented on January 1, 1980. It establishes regulations for both foreign and domestic fleets harvesting squid within the FCZ and supercedes the PMP that was in effect until December 31, 1979.

The objectives of the plan are: (1) to achieve and maintain optimum stocks for future recruitment; (2) to prevent destructive exploitation of squid species; (3) to minimize capture of nontarget species; (4) to achieve efficiency in harvesting and use; (5) to maintain adequate food supply for predator species, recognizing that squid are also predators; (6) to minimize user conflicts; (7) to improve understanding of the condition of the stocks; and (8) to encourage increased American participation in the squid fishery.

The following controls were instituted under the FMP: (1) annual catch quotas for both domestic and foreign fishermen; (2) a fishing year for both species from April 1, 1979, through March 31, 1980; (3) a fishing permit and recordkeeping system; and (4) criteria for reallocating portions of domestic quotas to TALFF.

Commercial and Recreational Salmon Fisheries  
Off the Coasts of  
Washington, Oregon, and California  
(Pacific Council)

The 1977 FMP was the initial step in developing a long-term comprehensive plan to manage salmon stocks (primarily chinook and coho) off the coasts of Washington, Oregon, and California. This plan was changed and extended through 1978 and 1979. Management measures were intended to allow for an ocean fishery, an "inside" fishery, Treaty Indian fishing rights, and adequate escapement for spawning. Implementation and enforcement of such a plan has relied heavily on State cooperation. To accomplish FMP objectives, salmon management areas were established with specific gear, season, and size restrictions for the commercial troll fisheries, and specific season, size gear, and catch limits for the recreational fisheries.

On March 9, 1979, the Pacific Council adopted the 1979 amendments to the FMP. The Secretary of Commerce approved the amendments on April 13, 1979, and fishing commenced on May 1, 1979.

The 1979 amendments provided the third set of annual management measures for the commercial and recreational salmon fisheries. Because of predicted low runs of coho and chinook salmon, the 1979 amendments restricted the fisheries more than in previous years (shorter commercial and recreational fishing seasons and a reduced sport bag limit).

On May 18, four groups of Columbia River Indian tribes filed a complaint for injunctive and declaratory relief with the Federal District Court of Oregon. The Indians contended that the adopted management measures for the ocean salmon fisheries would deprive them of their treaty-secured share of the salmon runs (Confederated Tribes v. Krepes). On July 23, the Federal District Court ordered the Secretary of Commerce to implement emergency closures to the commercial fisheries from July 25 through August 3, and from September 1 through September 7, 1979. Although the Ninth Circuit Court of Appeals granted a partial stay of the District Court's order, at the request of commercial fishermen, the commercial fishing season was not extended. (For more details, see page 10 in this report).

A recent analysis of the 1979 fishing season shows that the coastwide commercial catch of chinook was about equal to the 1971-75 average (it was higher than average off California and Oregon and lower off Washington) and the coho catch was about 69 percent of the average. The recreational catch of chinook was 51 percent, and the coho catch was 54 percent of the average. The in-river run of upriver fall chinook was 169,000, which is below the 300,000 goal. The in-river division of harvest of those fish was in accordance with the agreement. Spawning escapements fell short of the goals.

Northern Anchovy Fishery  
(Pacific Council)

This FMP addresses the problems of a transnational stock; protection of forage supplies for a large number of known or suspected predators of anchovy; use for

reduction, human consumption, and bait for recreational fishing; and large fluctuations in spawning biomass as it related to optimum yield. The plan also takes into consideration its effect on the California brown pelican, listed as an endangered species. Management measures include area closures, separate fishing seasons, size restrictions, and allocation of percentages of harvest quotas for different segments of the industry. The plan is unique in that it provides a formula using an annual resource assessment to the annual optimum yield quota.

There was one major amendment in 1979. It identified domestic harvesting and processing capacities, and related the domestic annual harvesting capacity to OY. It was published in the Federal Register July 18, 1979.

The annual OY and harvest quotas for the 1979-80 fishing season went into effect on August 1.

Commercial Tanner Crab  
Off Coast of Alaska  
(North Pacific Council)

This FMP governs fishing for all Tanner crab throughout the U.S. FCZ adjacent to Alaska. (There is a total allowable level of foreign fishing (TALFF) in this fishery.) The major management objectives are to minimize impacts on fishermen of natural fluctuations in stock abundance, to encourage development of markets for U.S. harvests, and to integrate management of Tanner crab stocks in the FCZ with other Tanner crab fisheries. The conservation and management measures, which are compatible with existing State regulations, include establishment of management areas with gear, harvest-level, season, sex, and size restrictions. An important management feature is the ability to make in-season adjustment of areas and times in which fishing may occur to prevent damage to the resources if conditions change unexpectedly. At the end of 1978, the FMP was amended to extend its operation to October 31, 1979.

The 1979 amendments to the plan are as follows: (1) the first amendment increased the OY for the Kodiak district from 25 million pounds to 35 million pounds (effective March 9, 1979); (2) the second amendment extended the area open to foreign crab fishing in the Bering Sea (effective March 9, 1979); and (3) the third amendment extended the plan through October 31, 1980 (effective January 1, 1980).

Groundfish of the Gulf of Alaska  
(North Pacific Council)

This FMP was designed to promote conservation of the groundfish resource, and to encourage both greater utilization of groundfish resources by U.S. fishermen and conservation and rehabilitation of halibut stocks. The management measures establish optimum yield for groundfish species in five major statistical areas. A portion of optimum yield is set aside to be allocated on a regular basis to domestic or foreign fisheries based on reassessment of U.S. harvesting capacity. Regulations establish the criteria and timing of any such release of reserves. The flexibility provided by the "reserve" concept assures adequate supply of fish to U.S. vessels, including vessels wishing to sell U.S.-caught fish to foreign processing vessels at sea, and



enables the reserve to be released during the season to foreign nations if U.S. harvest does not reach anticipated levels.

The 1979 amendments to the plan are as follows: (1) allowed a directed foreign cod fishery west of longitude 157 degrees W. and seaward of 12 miles (effective January 1, 1979); (2) reduced the number of regulatory areas, modified fishing restrictions on foreign vessels, increased the OY for squid and Atka mackerel, relaxed domestic restrictions on trawl gear, required annual renewal of domestic fishing permits, and extended the period for submitting domestic catch reports (effective August 16, 1979); (3) established an OY for fish of the genus *Coryphoenoides* (rattails) effective September 12, 1979, reduced the DAH on most groundfish species, and reallocated the surplus to TALFF (effective November 2, 1979); and (4) implemented a Secretarial amendment modifying and extending the FMP for the fishing year November 1, 1979, to October 31, 1980 (effective November 1, 1979).

#### High-Seas Salmon Off the Coast of Alaska (North Pacific Council)

The High-Seas Troll Salmon (primarily chinook and coho) FMP was prepared by the North Pacific Council, approved by the Secretary of Commerce on April 30, 1979, and implemented under emergency regulations on May 18, 1979. The final regulations became effective on August 31, 1979.

The plan was designed to promote conservation of the ocean salmon resource while allowing use of its stocks for food production. The objectives are as follows: (1) to control expansion of the salmon troll fishery in the FCZ, (2) to allocate the salmon resource among user groups, (3) to regulate the catch to ensure adequate escapement for spawning, (4) to reduce the catch of salmon with potential growth to increase the poundage yield from the troll fishery, and (5) to promote the future development of a Pacific Salmon FMP.

In 1979 the regulations did not sufficiently limit fishing effort to avoid overfishing. The catch of chinook salmon exceeded the upper limit of the OY range. The catch of coho was, however, within the range specified in the fishery management plan.

Management measures include restrictions on size, sex, area, and seasons, and gear, which complement existing State of Alaska regulations.

#### Stone Crab Fishery of the Gulf of Mexico (Gulf of Mexico Council)

The Stone Crab FMP was prepared by the Gulf of Mexico Council, and approved by the Secretary of Commerce on March 19, 1979. On March 26, 1979,

regulations implementing a portion of the FMP on an emergency basis were put into effect to minimize already existing conflicts between users of fixed and trawl gear in an area off the west coast of Florida. Regulations implementing other portions of the plan dealing with harvesting practices, seasons, and statistical reporting requirements were proposed at that time. Final regulations were implemented on September 30, 1979.

A primary concern was the gear conflict between stone crab and pink shrimp fishermen. Another consideration in this plan was the potential effect of the management measures on marine mammals and endangered species. Manatee and sea turtles may become entangled in stone crab gear. The regulations are not likely to jeopardize the continued existence of either species.

The objectives of the plan are: (1) to provide for an orderly stone crab fishery by reducing conflict between stone crab and shrimp fishermen, (2) to establish an effective statistical reporting system, (3) to attain full use of the resource, and (4) to promote uniformity of regulations. The plan has proven effective in preventing damage to stone crab gear, because compliance by shrimp fishermen is very high.

#### V. BUDGET OVERVIEW

Councils receive funds from the National Marine Fisheries Service/National Oceanic and Atmospheric Administration (NMFS/NOAA) in the form of (1) cooperative agreements for administration and operations, and (2) cooperative agreements for contractual needs. Funding received through administrative agreements is used for day-to-day operations and general expenses. Funding from contract agreements is used to obtain or analyze data and to find other outside assistance required to complete fishery management plans.

Operational agreements are made for 1 fiscal year and expire on September 30 of each year. Unused funds from the operational agreements are returned to NOAA after the Councils submit final reports. Contract agreements are written for the period in which the work will be accomplished. The agreements have ranged from a few months to more than 2 years. When the specific work is completed the unused funds from these agreements are returned to NOAA.

Tables 13 and 14 show budget analysis and total funding requirements for fiscal years 1977 to 1980. Tables 15 and 16 show FY 1979 funding and support for each Council.

Table 1. -- New and reappointed Council members - effective August 11, 1979

New England Council

New members

Patrick Carroll, recreational fisherman, Fairfield, Conn.  
Robin Peters, General Manager, Maine Commercial Fisheries  
 newspaper, Blue Hill, Maine  
Christopher Weld, attorney, Sullivan and Worcester,  
 Boston, Mass.

Reappointed members

Jacob Dykstra, President, Pt. Judith Fishermen's  
 Cooperative Association, Pt. Judith, R.I.  
Harvey Mickelson, Executive Director, Seafood Dealers  
 Association of New Bedford, New Bedford, Mass.

Mid-Atlantic Council

Arthur Fass, Executive Vice President, Fass Brothers, Inc.,  
 Newport News, Va.  
Roger Locandro, Rutgers University, New Brunswick, N.J.  
Barbara Stevenson, commercial fisherman, Dagsboro, Del.

William Feinberg, attorney, Feinberg, Dee, and Feinberg,  
 Bayonne, N.J.

South Atlantic Council

Melvin Daniels, Jr., State Senator, Elizabeth City, N.C.

Allen F. Branch, recreational fisherman, Midway, Ga.  
J. Roy Duggan, President, King Shrimp Company, Inc.,  
 Brunswick, Ga.  
Jerry Sansom, Executive Director, Organized Fishermen  
 of Florida, Melbourne, Fla.

Caribbean Council

Samuel Espinosa, President, Espinosa Fishing, Inc.,  
 St. Croix, V.I.

Hector Vega-Morera, President, Vega Associates,  
 Salinas, P.R.

Gulf of Mexico Council

Dayton Graham, President, Deep Sea Foods, Inc., Bayou  
 La Batre, Ala.  
Gus Mijalis, President, Farmer Seafood Co., Inc.,  
 Shreveport, La.  
Bobby O'Barr, attorney, O'Barr, Hurlbert and O'Barr,  
 Biloxi, Miss.

Robert Jones, Executive Director, Southeastern Fisheries  
 Association, Inc., Tallahassee, Fla.  
John Mehos, Liberty Fish and Oyster Company, Galveston, Tex.

Pacific Council

Guy McMinds, fisheries management adviser to  
 Washington Coastal Indian Tribes, Taholah, Wash.

John A. Martinis, State Representative, Everett, Wash.  
John McKean, retired fishery administrator, Portland, Oreg.  
John Royal, Secretary-Treasurer, Fishermen and Allied  
 Workers Union, ILWU, Local No. 33, San Pedro, Calif.

North Pacific Council

Donald Bevan, College of Fisheries, University  
 of Washington, Seattle, Wash.

James Campbell, General Manager, Spenard Builders Supply,  
 Inc., Anchorage, Alaska  
Douglas Eaton, commercial fisherman, Kodiak, Alaska

Western Pacific Council

John Eads, President, Guam Fishermen's Cooperative  
 Agana, Guam  
Jay Puffinburger, Manager, Hawaiian Tuna Packers,  
 Honolulu, Hawaii

Peter Reid, Jr., Manager, GHC Reid and Company, Inc.,  
 Pago Pago, American Samoa

Table 2. -- Foreign fishing allocations by species, percent of total by country, 1979

## North Atlantic and Gulf of Mexico

Country	Directed fisheries					Incidental catch				Average
	Red hake	Silver hake	Sharks except dogfish	Short- finned squid	Long- finned squid	Atlantic mackerel	Butter-1/ fish	River2/ herring	Other finfish	
	----- Percent of total -----									
Euro. Econ. Comm.										
Fed. Rep. of Germany	0.6	0.6	0.0	0.3	5.8	1.3	3.8	2.4	1.3	1.7
Ireland	.3	.1	.0	.9	.3	.8	.3	2.0	.9	.5
Italy	1.5	2.5	.0	13.1	9.4	11.8	8.9	2.6	3.0	5.2
German Dem. Rep.	.4	1.9	.0	.3	.3	.8	.3	2.0	.9	.9
Japan	3.9	4.9	.0	15.0	32.3	14.1	25.4	9.2	10.5	12.5
Mexico	2.7	2.4	.0	16.0	20.0	8.0	16.0	8.0	8.8	9.1
Poland	.5	1.9	.0	14.0	2.9	2.9	0.9	2.8	3.3	3.8
Romania	.4	1.9	.0	.3	.3	1.7	.3	2.0	.9	.9
Spain	4.0	3.2	.0	27.0	27.3	11.0	21.9	11.4	12.2	13.1
U.S.S.R.	66.6	60.0	.0	12.9	1.6	39.3	12.4	39.4	43.9	39.4
Unallocated	18.9	20.6	100.0	.1	0.0	8.3	10.0	18.2	14.2	12.9
Total <sup>3/</sup>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

<sup>1/</sup> Allocated by country in proportion to long-finned squid fishery.<sup>2/</sup> Includes alewife, blueback herring, and hickory shad.<sup>3/</sup> May not add, because of rounding.

## Washington, Oregon, and California

Country	Directed fisheries	Incidental catch						Average
	Pacific hake (whiting)	Jack mackerel	Flounders	Pacific Ocean perch	Other rockfishes	Sablefish	Other species	
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Source: Country allocations are from the U.S. Department of State, Office of Fisheries Affairs. All other data are from the National Marine Fisheries Service, Office of Resource Conservation and Management.

Table 3. -- Value of foreign fishing allocations

North Atlantic and Gulf of Mexico<sup>1/</sup>

Item	Directed fisheries					Incidental catch				
	Red hake	Silver hake	Sharks except dogfish	Short-finned squid	Long-finned squid	Atlantic mackerel	Butterfish <sup>2/</sup>	River herring <sup>3/</sup>	Other finfish	Total
TALFF <sup>4/</sup>	7,370.9	19,262.0	125.5	4,224.1	29,790.2	636.1	3,708.2	56.5	43,524.0	108,697.5
-----Thousand dollars-----										
<u>Country allocations</u>										
Euro. Econ. Community	47.2	110.7	0	13.2	1,737.8	7.9	139.1	1.4	575.7	2,633.0
Fed. Rep. of Germany	23.6	27.7	0	37.0	74.5	5.3	9.3	1.1	384.1	562.6
Ireland	111.5	479.0	0	553.0	2,785.4	75.3	328.2	1.5	1,313.2	5,647.1
Italy	31.5	369.0	0	13.2	74.5	5.3	9.3	1.1	384.1	888.0
German Dem. Rep.	283.8	937.3	0	633.6	9,608.3	89.6	941.8	5.2	4,551.4	17,051.0
Japan	201.6	457.6	0	677.6	5,958.0	50.9	593.3	4.5	3,839.0	11,782.5
Mexico	40.0	369.0	0	591.2	868.9	18.6	34.3	1.6	1,442.4	3,366.0
Poland	31.5	369.0	0	13.2	74.5	10.6	9.3	1.1	384.1	893.3
Romania	293.3	625.5	0	1,140.5	8,135.6	70.0	812.1	6.4	5,329.8	16,413.2
Spain	4,911.5	11,557.8	0	546.3	472.7	249.6	460.7	22.3	19,120.8	37,341.7
U.S.S.R.	1,395.4	3,959.4	125.5	5.3	0	53.0	370.8	10.3	6,199.4	12,119.1
Unallocated										

Gulf of Alaska<sup>5/</sup>

Item	Directed fisheries					Incidental catch				
	Alaska pollock	Atka mackerel	Flounder	Pacific cod	Rockfishes Pacific Ocean perch Other	Rattail	Sablefish	Squid	Other species	Total
TALFF	34,584.1	5,970.8	12,713.9	12,276.7	9,031.7	2,650.0	0	5,820.1	1,611.9	93,479.1
-----Thousand dollars-----										
<u>Country allocations</u>										
Japan	8,421.4	606.1	10,666.6	7,365.2	2,966.8	727.7	0	4,709.6	458.5	38,521.4
Mexico	2,677.4	101.7	238.2	1,969.3	841.2	424.0	0	132.2	259.2	7,455.2
Poland	4,295.1	279.6	353.3	303.4	448.6	61.1	0	46.3	158.1	6,619.7
Rep. of Korea	6,144.6	116.0	329.5	986.3	1,667.0	729.7	0	631.1	233.3	12,463.0
U.S.S.R.	13,045.6	4,867.4	1,126.3	1,652.5	3,108.1	707.5	0	280.9	502.8	28,419.8

Eastern Bering Sea and Aleutians

Item	Directed fisheries							Incidental catch		
	Alaska pollock	Atka mackerel	Yellowfin sole	Flounder	Herring	Pacific cod	Pacific Ocean perch	Snow (Tanner) crabs	Squid	Other species
TALFF <sup>7/</sup>	209,000	5,530	42,082	55,183	1,431	23,673	8,535	2,578	1,974	13,230
-----Thousand dollars-----										
<u>Country allocations</u>										
China, Taiwan	1,100	22	60	60	4	42	30	0	32	458
Japan	170,419	446	24,578	32,491	398	15,478	3,684	1,586	1,912	63,491
Poland	5,500	112	298	298	21	210	99	165	0	2,291
Korea	18,700	390	1,032	1,032	74	1,194	397	397	0	7,788
U.S.S.R.	13,281	4,560	16,114	21,302	933	6,730	4,325	397	567	13,020
Total	209,000	5,530	42,082	55,183	1,431	23,673	8,535	2,578	1,974	13,230
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Japan	170,419	446	24,578	32,491	398	15,478	3,684	1,586	1,912	63,491
Poland	5,500	112	298	298	21	210	99	165	0	2,291
Korea	18,700	390	1,032	1,032	74	1,194	397	397	0	7,788
U.S.S.R.	13,281	4,560	16,114	21,302	933	6,730	4,325	397	567	13,020
Total	209,000	5,530	42,082	55,183	1,431	23,673	8,535	2,578	1,974	13,230
-----Thousand dollars-----										
<u>Country allocations</u>										
China, Taiwan	1,100	22	60	60	4	42	30	0	32	458
Japan	170,419	446	24,578	32,491	398	15,478	3,684	1,586	1,912	63

Table 4. -- Foreign fishing under FCMA, vessels permitted to fish by fishery (1979)

Number of permits issued		Total
Fishing vessels	Support vessels	
117	2	119 - Atlantic billfish and sharks (ABS)
373	193	566 - Bering Sea and Aleutians (BSA)
24	106	130 - Tanner crab (Bering Sea) (CRB)
181	189	370 - Gulf of Alaska groundfish (GOA)
180	98	278 - Northwest Atlantic Ocean (NWA) (includes Atlantic hake and Atlantic squid)
8	27	35 - Seamount groundfish (SMT) (Western Pacific)
18	88	106 - Snails (SNA) (Bering Sea)
92	48	140 - Washington, Oregon, and California Trawl (WOC)

Table 5. -- Foreign fishing under FCMA, permits issued (1979)

Nation	Total permits issued <sup>1/</sup>	Permits used		Fishery	By fishery	
		Fishing vessels	Support vessels		Fishing vessels	Support vessels
Euro. Economic Community						
Ireland	1	1	0	NWA	1	0
Italy	13	13	0	NWA	13	0
Other nations						
Japan	552	419	133	ABS	117	2
				BSA	249	133
				CRB	24	106
				GOA	62	129
				NWA	16	89
				SMT	2	27
				SNA	18	88
Mexico	22	22	0	GOA	5	0
				NWA	14	0
Poland	19	17	2	BSA	14	2
				GOA	14	2
				NWA	11	1
				WOC	14	2
Romania	1	1	0	NWA	1	0
Rep. of Korea	32	19	13	BSA	18	11
				GOA	19	12
Spain	114	114	0	NWA	114	0
Taiwan	12	11	1	BSA	11	1
U.S.S.R.	146	92	54	BSA	81	46
				GOA	81	46
				NWA	11	8
				WOC	78	46
Total	912	709	203			

<sup>1/</sup>The sum of total permits issued is less than sum of fishery figures, because of permits issued for two or more fisheries.



Table 6. -- Foreign fishing under FCMA, status of applications/permits (1979)  
(numbers indicate vessels for which applications have been submitted)

Nation	Submitted	Revoked <sup>1/</sup>	Withdrawn	Disapproved <sup>2/</sup>	Approved no permits issued	Sanction <sup>3/</sup>	Permits issued
Euro. Economic Community	1	0	0	0	0	0	1
Ireland							
Italy	21	0	1	0	7	0	13
Other nations							
Bulgaria	8	0	8	0	0	0	0
Cuba	23	0	23	0	0	0	0
German Demo. Republic	4	0	0	0	4	0	0
Japan	584	1	2	0	29	0	552
Mexico	33	0	0	0	11	0	22
Poland	54	0	0	0	35	0	19
Rep. of Korea	33	0	0	0	1	0	32
Romania	7	0	0	0	6	0	1
Spain	116	0	1	0	1	0	114
Taiwan	22	0	0	9	0	1	12
U.S.S.R.	268	0	0	0	122	0	146
Total	1,174	1	35	9	216	1	912

<sup>1/</sup> Noncompliance with FCMA.

<sup>2/</sup> Applications were disapproved when submitted for vessels to engage in fisheries for which the nation had no allocations.

<sup>3/</sup> Sanction for nonpayment of civil penalty.



Table 7. -- Fishing permit fees charged for calendar years 1978 and 1979

	Poundage fees		Permit fees		Total fees	
	1978	1979	1978	1979	1978	1979
	<u>-----Dollars-----</u>					
Bulgaria	13,646.55	20,715.97	2,867.00	15,202.00	16,513.55	35,917.97
Cuba	79,478.95	---	8,122.00	---	87,600.95	---
German Dem. Rep.	21,298.94	17,483.41	3,183.00	6,236.00	24,481.94	23,719.41
Ireland	---	14,389.42	---	1,921.00	---	16,310.42
Italy	112,113.95	239,739.30	22,181.00	22,341.00	134,294.95	262,080.30
Japan	6,734,540.22	11,203,588.34	288,655.00	273,387.00	7,023,195.22	11,476,975.34
Mexico	282,437.97	625,780.76	13,403.00	19,231.00	295,840.97	645,011.76
Poland	236,774.47	725,641.10	28,468.00	105,857.00	265,242.47	831,498.10
Rep. of Korea	429,982.09	1,377,637.58	57,949.00	65,240.00	487,931.09	1,442,877.58
Romania	43,825.35	17,618.16	2,681.00	22,471.00	46,506.35	40,089.16
Spain	309,604.01	621,051.28	20,304.00	45,610.00	329,908.01	666,661.82
Taiwan	24,018.85	57,060.75	6,377.00	7,804.00	30,395.85	64,864.75
U.S.S.R.	<u>3,693,552.22</u>	<u>4,927,396.67</u>	<u>324,245.00</u>	<u>424,056.40</u>	<u>4,017,797.22</u>	<u>351,453.07</u>
	11,981,273.57	19,848,103.28	778,435.00	1,009,356.40	12,759,708.57	20,857,459.68

Note: The fees listed for 1979 do not include the 10 percent surcharge.

Table 8. -- Management measures in the U.S. fishery conservation zone

(Management measures are the techniques through which the fishery management objectives for a given fishery are achieved. The many techniques for regulating fisheries can be categorized as follows: (1) those that relate directly to the resource, which include such techniques as closed seasons, closed areas, and limits on the total catch; (2) those that govern the kind of fishing effort, which include controls over the size of mesh that can be used in the nets, limits on the size of vessels, limits on the size and number of hooks; and (3) those that govern the amount of fishing effort--such as limiting the number of vessels, or imposing license fees or taxes which operate as a disincentive for investment in fishing effort. These various types of management measures differ widely in terms of their effects in enhancing biological or economic goals. The following table summarizes the management measures in effect within the U.S. fishery conservation zone.)

Fishery Management Plans (FMP's)	Fishing year	Seasonal catch quotas	Adjustments to seasonal quotas	Discard prohibition	Vessel identification	Species limitations (closures)	Incidental catch	Permits and fees	Time restrictions	Area restrictions	Landing restrictions	Sex restrictions	Gear restrictions	Fixed gear avoidance	Size restrictions	Limited entry
Atlantic groundfish	D	D	D	D	D	D	D	D	D	D	D	-	D	-	-	-
Atlantic herring	D	D	D	D	D	D	D	D	-	-	-	-	-	-	D	-
Butterfish	F	D/F	D/F	-	D/F	D/F	F	D/F	F	F	-	-	F	F	-	-
Atlantic mackerel	F	D/F	D/F	-	D/F	D/F	F	D/F	F	F	-	-	F	F	-	-
Atlantic squid	F	D/F	D/F	-	D/F	D/F	F	D/F	F	F	-	-	F	F	D	-
Surf clam and ocean quahog	-	D	D	-	D	D	-	D	D	D	-	-	-	-	-	D
Stone crab	D	D	D	-	D	D	-	D	-	D	D	-	D	-	D	-
Northern anchovy	D	D	-	-	-	D	-	D	D	D	D	-	-	-	D	-
Comm. & recreational salmon	-	-	-	-	-	D	D	D	D	D	D	-	D	-	D	D
Gulf of Alaska groundfish	D/F	D/F	D/F	-	F	D/F	D/F	D/F	D/F	F	D	-	D/F	F	-	-
Tanner crab	F	-	-	-	F	D/F	D/F	D/F	D/F	F	D	D/F	D/F	F	D/F	-
High-seas salmon	-	D	D	-	-	D	D	D	D	D	D	-	D	-	-	D

Preliminary Fishery Management Plans (PMP's)

Atlantic hakes	F	-	-	-	F	F	F	F	F	F	-	-	-	F	-	-
Other finfish of NW Atlantic	F	-	-	-	F	F	F	F	F	F	-	-	-	F	-	-
Atlantic Billfish and sharks	F	-	-	-	F	F	F	F	F	F	-	-	-	F	-	-
Wash., Oreg., Calif., trawl	F	F	F	-	F	F	F	F	F	F	-	-	-	F	-	-
Seamount groundfish	F	-	-	-	F	F	F	F	F	F	-	-	F	F	-	-
Shrimp	-	F	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Snail	F	-	-	-	F	F	F	F	F	F	-	-	-	F	-	-
Trawl and herring gillnet	F	-	F	-	F	F	F	F	F	F	-	-	-	F	-	-

D = domestic only.

F = foreign only.

D/F = domestic and foreign.

Table 9. -- Marine mammals - 1979 general permits - commercial fishing incidental take<sup>1/</sup>

Permits	Pinnipedia						Cetacea						Total	
	Otaridae			Phocidae			Applied for			Allowed			Applied for	
	Applied for	Allowed		Applied for	Allowed		Applied for	Allowed		Applied for	Allowed		Applied for	Allowed
Category 1	Domestic (PCFFA)	500	350	500	250		0	0		1,000	(1/29/79)		600	
Towed or dragged gear	Japan (Deep sea)	65	65	3	3		0	0		68	(11/28/78)		68	
	Japan (Medium)	0	0	0	0		0	0		0	(11/28/78)		0	
	U.S.R. (Sovrybflot)	1,501	450	6	6		8	8		1,515	(12/12/78)		464	
	Poland (Odra/Dalmo <sup>2/</sup> )	25	25	25	25		19	19		69	(2/16/79)		69	
	Domestic (Chipman) <sup>3/</sup>	10	--	10	--		0	--		20	(2/7/79)		--	
	Subtotal	2,101	890	544	284		27	27		2,672			1,201	
Category 3	Domestic (PCFFA)	800	300	800	400		90	40		1,690	(1/29/79)		740	
Encircling gear, not involving intentional taking	Domestic (Chipman) <sup>3/</sup>	10	--	10	--		0	--		20	(2/7/79)		--	
	Domestic (UFOSC) <sup>3/</sup>	800	--	800	--		90	--		1,690	(3/9/79)		--	
	Subtotal	1,610	300	1,610	400		180	40		3,400			740	
Category 4	Domestic (PCFFA)	80	40	80	50		0	0		160	(1/29/79)		90	
Stationary gear	Domestic (Chipman) <sup>3/</sup>	10	--	10	--		0	-		20	(2/7/79)		--	
	Subtotal	90	40	90	50		0	0		180			90	
Category 5	Domestic (PCFFA)	1,800	450	1,800	600		160	40		3,760	(1/29/79)		1,090	
Other gear	Japan (longline) <sup>2/</sup>	0	0	0	0		0	0		0	(11/28/78)		0	
	Domestic (Chipman) <sup>3/</sup>	10	--	10	--		0	--		20	(2/7/79)		--	
	Domestic (UFOSC) <sup>3/</sup>	1,200	--	800	--		230	--		2,230	(3/9/79)		--	
	Subtotal	3,010	450	2,610	600		390	40		6,010			1,090	
	Total	6,811	1,680	4,854	1,334		597	107		12,262			3,121	

<sup>1/</sup>Except category 2; encircling gear, involving the intentional taking of marine mammals.

<sup>2/</sup>Requested harassment only, no mortality or serious injury intended.

<sup>3/</sup>Application withdrawn for consolidation with PCFFA general permit.

Table 10. -- 1979 violations of FCMA

	NMFS Regions					Total
	Northeast	Northwest	Alaska	Southwest	Southeast	
Reports of violation issued:	185	25	74	20	63	367
Reports of violation down-graded or dismissed:	5	3	14	0	0	22
Notices of violation issued:	36	5	18	0	0	59
Notices of assessment issued:	2	0	1	0	2	5
Violations closed with civil penalty paid:	6	15	6	0	6	33
Permit sanctions:	1	0	3 <sup>1/</sup>	0	0	4

<sup>1/</sup>Three additional permit sanctions are in process of being executed.

Table 11. -- FCMA enforcement during calendar year 1979

	NMFS Regions					Total
	Northeast	Northwest	Alaska	Southwest	Southeast	
Domestic sightings:	12,596	3,637	2,340	792	6,168	25,533
Foreign sightings:	1,863	1,187	6,916	592	1,702	12,260
Foreign boardings:	167	90	273	129	39	698
Reports of domestic violations:	177	20	5	6	7	215
Reports of foreign violations:	6	4	51	14	56	131
Domestic citations:	119	1	2	0	0	122
Foreign citations:	10	8	20	0	1	39
Foreign seizures:	1	1	11	0	1	14

Table 12. -- Foreign fishing vessel observer program - 1979

	Ireland	Italy	Japan	Korea	Mexico	Poland	Romania	Spain	Taiwan	U.S.S.R.	Total
<b>Northeast</b>											
Total days fished :	18	946	1,469	---	1,566	63	7	2,431	---	341	6,841
Days fished with observers:	18	287	295	---	450	59	---	428	---	50	1,587
% of fishing days covered :	100.0	30.3	20.1	---	28.7	93.7	---	17.6	---	14.7	23.2
<b>Southeast</b>											
Total days fished :	---	---	2,645	---	---	---	---	---	---	---	2,645
Days fished with observers:	---	---	558	---	---	---	---	---	---	---	558
% of fishing days covered:	---	---	21.1 <sup>1/</sup>	---	---	---	---	---	---	---	21.1
<b>Northwest and Alaska</b>											
Total days fished :	---	---	33,886	3,884	546	1,820	---	---	204	7,983	48,323
Days fished with observers:	---	---	5,449	482	59	347	---	---	---	1,910	8,247
% of fishing days covered :	---	---	16.1	12.4	10.8	19.7	---	---	---	24.0	17.1
<b>Southwest</b>											
Total days fished :	---	---	24	---	---	---	---	---	---	---	24
Days fished with observers:	---	---	24	---	---	---	---	---	---	---	24
% of fishing days covered :	---	---	100	--	---	---	---	---	---	---	100

<sup>1/</sup>Includes tuna longline vessels only.

Table 13. -- Budget analysis of Councils by fiscal year

Council	Administrative <sup>1/</sup>				Programmatic <sup>2/</sup>				Total			
	FY 77	FY 78	FY 79	FY 80	FY 77	FY 78	FY 79	FY 80	FY 77	FY 78	FY 79	FY 80
	Thousand dollars											
New England	308.3	543.9	634.0	744.7	93.5	290.0	119.0	240.0	401.8	833.9	753.0	984.7
Mid-Atlantic	275.3	391.1	412.0	530.0	--	87.5	255.0	125.0	275.3	478.6	667.0	655.0
South Atlantic	327.2	437.9	555.5	635.1	100.0	58.0	120.0	225.0	427.2	495.9	675.5	860.1
Caribbean	293.3	360.2	378.8	442.2	70.0	---	71.8	100.0	363.3	360.2	450.6	542.2
Gulf of Mexico	426.4	583.9	770.0	941.0	200.0	415.8	293.5	75.0	626.4	999.7	1063.5	1016.0
Pacific	283.0	567.0	675.0	751.0	224.0	235.5	425.4	682.0	507.0	802.5	1100.4	1433.0
North Pacific	446.8	542.6	670.0	721.2	118.4	674.7	271.0	310.0	565.2	1217.3	941.0	1031.2
Western Pacific	193.9	228.1	433.0	452.7	20.0	---	60.0	235.0	213.9	228.1	493.0	687.7
Total	2554.2	3654.7	4528.3	5217.9	825.9	1761.5	1615.7	1992.0	3380.1	5416.2	6144.0	7209.9

<sup>1/</sup>Excluding States.

<sup>2/</sup>Contracts.

Table 14. -- Total funding requirements by fiscal year

	FY 77	FY 78	FY 79	FY 80
Administration <sup>1/</sup>	2,554.2	3,654.7	4,528.3	5,217.9
Program <sup>2/</sup>	825.9	1,761.5	1,615.7	1,992.0 <sup>3/</sup>
States	<u>354.0</u>	<u>837.0</u>	<u>825.0</u>	<u>825.0<sup>3/</sup></u>
Total	3,734.1	6,253.2	6,969.0	8,034.9

<sup>1/</sup>Excluding States.<sup>2/</sup>Contracts.<sup>3/</sup>NMFS estimates.

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Table 15. -- Administrative funding and support - FY 1979

	New England	Mid- Atlantic	South Atlantic	Caribbean	Gulf of Mexico	Pacific	North Pacific	Western Pacific
Direct labor	\$355,200	\$240,000	\$298,000	\$199,200	\$425,000	\$263,300	\$273,000	\$159,000
Benefits	50,200	28,000	38,600	47,400	44,000	30,800	44,000	22,400
Travel	78,500	82,000	143,900	57,600	200,000	225,700	220,000	90,100
Contracts-operations	24,400	5,000	13,000	14,200	8,000	40,000	21,000	84,400
State admin. support	125,000	150,000	100,000	50,000	125,000	150,000	50,000	75,000
All other	<u>115,700</u>	<u>57,000</u>	<u>62,000</u>	<u>60,400</u>	<u>93,000</u>	<u>115,200</u>	<u>112,000</u>	<u>76,600</u>
Total	\$759,000	\$562,000	\$655,500	\$428,800	\$895,000	\$825,000	\$720,000	\$508,000



Table 16. -- Program funding and support - FY 1979

Council	Project/FMP	Cost
		<u>Dollars</u>
New England	Northwest Atlantic Fisheries Taskforce .....	35,000
	Scallop.....	30,000
	Silver hake.....	40,000
	Groundfish.....	14,000
	Total.....	119,000
Mid-Atlantic	Socioeconomic study.....	210,000
	Surf clam.....	10,000
	Summer flounder.....	35,000
	Total.....	255,000
South Atlantic	King mackerel.....	50,000
	Calico scallop.....	50,000
	Swordfish.....	20,000
	Total.....	120,000
Caribbean	Coastal pelagics.....	71,800
Gulf of Mexico	Sharks.....	44,600
	Spiny lobster.....	53,900
	Corals.....	81,800
	Stone crab.....	5,000
	Pelagic fish.....	58,700
	Mackerel migration.....	5,000
	Shrimp.....	25,500
	Reef fishes.....	19,000
	Total.....	293,500
Pacific	Salmon.....	221,100
	Groundfish.....	61,200
	Pink shrimp.....	23,300
	Squid.....	10,800
	Jack mackerel.....	33,400
	Dungeness crab.....	15,200
	Herring.....	60,400
	Total.....	425,400
North Pacific	Spawning herring and capelin stock.....	137,000
	Salmon.....	74,000
	Development and writing of management plans...	60,000
	Total.....	271,000
Western Pacific	Spiny lobster.....	20,000
	Coral fishery.....	5,000
	Billfishes.....	10,000
	Marine recreation survey.....	25,000
	Total.....	60,000



Table 17. -- Principal NMFS/NOAA/DOC staff directory

Mail routing code		Telephone number	Location
—	Secretary of Commerce, Philip M. Klutznick 14th and E Streets, NW. Washington, DC 20230	202-377-2112	Commerce
A	National Oceanic and Atmospheric Administration Administrator, Richard A. Frank 14th and E Streets, NW. Washington, DC 20230	202-377-3567	Commerce
<u>NATIONAL MARINE FISHERIES SERVICE--CENTRAL OFFICE</u>			
F	Assistant Administrator for Fisheries, Terry L. Leitzell	202-634-7283	Page 2 Building
F	Deputy Assistant Administrator, Vacant	202-634-7243	DO
Fx3	Executive Director, Winfred H. Meibohm	202-634-7292	DO
Fx3	Deputy, Robert K. Crowell	202-634-7405	DO
Fx32	Administrative Support Staff, Jack L. Falls	202-634-7405	DO
Fx33	Budget Operations Staff, David H. Rand	202-634-7444	DO
Fx34	Management Services Staff, E. Craig Felber	202-634-7405	DO
Fx5	Office of Policy and Planning, Director, Richard E. Gutting, Jr.	202-634-7430	DO
Fx5	Deputy, Samuel W. McKeen		
Fx51	Policy Staff, Herbert L. Blatt	202-634-7430 202-653-7551	DO DO
Fx52	Plans and Budget Staff, James H. Czerwonky	202-634-7328	DO
Fx53	Economics Staff, Morton M. Miller	202-634-7111	Page 1 Building
Fx54	Evaluation Staff, John P. Wise	202-653-7553	Page 2 Building
PAF	Office of Public Affairs, Public Affairs Officer (NMFS), Gerald D. Hill, Jr.	202-634-7281	DO
GCF	Office of General Counsel-Fisheries, Assistant General Counsel, Jay S. Johnson	202-634-4224	DO
F/UD	Office of Utilization and Development, Director, Martha O. Blaxall	202-634-7261	DO
F/UD	Deputy, Vacant	202-634-7261	DO
F/UD1	Fisheries Development Division, John T. Everett	202-634-7451	DO
F/UD2	Seafood Research, Inspection and Consumer Services Division, Thomas J. Billy	202-634-7458	DO
F/UD5	Financial Services Division, Michael L. Grable	202-634-7496	DO
F/UD24	National Seafood Quality and Inspection Laboratory, E. Spencer Garrett P.O. Drawer 1207 Pascagoula, MS 39567	601-762-4591	Pascagoula, MS

(Cont.)

Mail routing code		Telephone number	Location
<u>CENTRAL OFFICE - Continued</u>			
F/CM	Office of Resource Conservation and Management, Director, William G. Gordon	202-634-7218	Page 2 Building
F/CM	Deputy, Roland F. Smith	202-634-7218	DO
F/CMx1	Recreational Fisheries, Robert F. Hutton	202-254-5536	DO
F/CM1	State/Federal Division, Richard H. Schaefer	202-634-7454	DO
F/CM5	Enforcement Division, Morris M. Pallozzi	202-634-7265	Page 1 Building
F/CM6	Plan Review Division, Roland A. Finch	202-634-7449	Page 2 Building
F/CM7	Permits and Regulations Division, Denton R. Moore	202-634-7432	DO
F/IA	Office of International Fisheries Affairs, Director, Carmen J. Blondin	202-634-7514	DO
F/IA	Deputy, Vacant	202-634-7267	DO
F/IA1	Foreign Fisheries Analysis Division, Milan A. Kravanja	202-634-7307	DO
F/IA2	International Organizations and Agreements Division, Henry R. Beasley	202-634-7257	DO
F/IA4	International Fisheries Development and Services Division, Clarence P. Idyll	202-634-7263	DO
F/SR	Office of Science and Environment, Director, Vacant	202-634-7469	DO
F/SR	Deputy, Vacant	202-634-7469	DO
F/SR1	Resource Statistics Division, Joseph Pileggi	202-634-7366	DO
F/SR2	Resource Assessment Division, Lamarr B. Trott	202-634-7466	DQ
F/SR4	Data Management and Information Systems Division, Hoyt A. Wheeland	202-254-7806	DO
F/MM	Office of Marine Mammals and Endangered Species, Director, William Aron	202-634-7461	DO
F/MM	Deputy, Richard B. Roe	202-634-7461	DO
F/HP	Office of Habitat Protection, Director, James W. Rote	202-634-7490	DO
F/HP	Deputy, Kenneth R. Roberts	202-634-7490	DO

Location of Page Buildings - Page 1 Building is in upper Georgetown at 2001 Wisconsin Avenue, NW., Washington, DC. The Page 2 Building is behind the Page 1 Building at 3300 Whitehaven Street, NW.

Mailing address - Use of the mail routing code will speed your mail. A sample address is as follows: Name and title, National Marine Fisheries Service (F), NOAA, U.S. Department of Commerce, Washington, DC 20235.

(Cont.)

Mail routing code		Telephone number	Location
<u>REGIONAL OFFICES</u>			
F/NER	Northeast Region Director, Allen E. Peterson Jr. Federal Building, 14 Elm Street Gloucester, MA 01930	617-281-3600	Gloucester, MA
F/SER	Southeast Region Director, William H. Stevenson Duval Building, 9450 Koger Boulevard St. Petersburg, FL 33702	813-893-3142	St. Petersburg, FL
F/SWR	Southwest Region Director, Vacant 300 South Ferry Street Terminal Island, CA 90731	213-548-2575	Terminal Island, CA
F/SWR1	Western Pacific Program Office Doyle E. Gates, Administrator 2570 Dole Street, P.O. Box 3830 Honolulu, HI 96812	808-946-2181	Honolulu, HI
F/NWR	Northwest Region Director, Vacant 1700 Westlake Avenue, N. Seattle, WA 98109	206-442-7575	Seattle, WA
F/NWR5	Environmental and Technical Services Division, Chief, Dale R. Evans 811 NE. Oregon Street, P.O. Box 4332 Portland, OR 97208	503-234-3361 Ext. 4301	Portland, OR
F/AKR	Alaska Region Director, Vacant Federal Building, Room 453. 709 West Ninth Street, P.O. Box 1668 Juneau, AK 99802	907-586-7221	Juneau, AK
<u>FISHERIES CENTERS AND LABORATORIES</u>			
F/NWC	Northwest and Alaska Fisheries Center Director, Vacant 2725 Montlake Boulevard, E. Seattle, WA 98112	206-442-4760	Seattle, WA
F/NWCx9	Auke Bay Laboratory Director, William Smoker P.O. Box 155 Auke Bay, AK 99821	907-789-7231	Auke Bay, AK
F/NWC81	Kodiak Laboratory Director, Robert Wolotira P.O. Box 1638 Kodiak, AK 99615	907-487-4961	Kodiak, AK
F/SEC	Southeast Fisheries Center Director, William W. Fox, Jr. 75 Virginia Beach Drive Miami, FL 33149	305-361-5761	Miami, FL
F/SEC1	Miami Laboratory Director, William J. Richards Address same as above	Same as above	
F/SEC2	Mississippi Laboratories Director, Andrew J. Kemmerer National Space Technology Labs NSTL Station, MS 39529	601-688-3650	Bay St. Louis, MS
F/SEC22	Pascagoula Facility Acting Chief, Wilbur R. Seidel 3209 Frederick Street, P.O. Drawer 1207 Pascagoula, MS 39567	601-762-4591	Pascagoula, MS
F/SEC5	Panama City Laboratory Director, Eugene L. Nakamura P.O. Box 4218 Panama City, FL 32401	904-234-6541	Panama City, FL

(Cont.)

Mail routing code		Telephone number	Location
<u>FISHERIES CENTERS AND LABORATORIES - Continued</u>			
F/SEC6	Galveston Laboratory Director, Edward J. Klima 4700 Avenue U Galveston, TX 77550	713-763-1211 Ext. 501	Galveston, TX
F/SEC8	Charleston Laboratory Director, Harry L. Seagran P.O. Box 12607 Charleston, SC 29412	803-724-4770	Charleston, SC
F/SEC9	Beaufort Laboratory Director, Theodore Rice P.O. Box 570 Beaufort, NC 28516	919-728-4595	Beaufort, NC
F/NEC	Northeast Fisheries Center Director, Robert L. Edwards Woods Hole, MA 02543	617-548-5123	Woods Hole, MA
F/NEC1	Woods Hole Laboratory Director, Richard C. Hennemuth Woods Hole, MA 02543	617-548-5123	Woods Hole, MA
F/NEC2	Narragansett Laboratory Director, Kenneth Sherman Route 7A, P.O. Box 522A Narragansett, RI 02882	401-789-9326	Narragansett, RI
F/NEC3	Milford Laboratory Director, James E. Hanks Milford, CT 06460	203-878-2459	Milford, CT
F/NEC4	Sandy Hook Laboratory Director, Carl J. Sindermann P.O. Box 428 Highlands, NJ 07732	201-872-0200	Highlands, NJ
F/NEC5	Oxford Laboratory Director, Aaron Rosenfield Oxford, MD 21654	301-226-5193	Oxford, MD
F/NEC6	Gloucester Laboratory Director, Louis J. Ronsivalli Emerson Avenue, P.O. Box 61 Gloucester, MA 01930	617-281-3600 Ext. 237	Gloucester, MA
F/NEC7	National Systematics Laboratory Director, Daniel M. Cohen 10th St. and Constitution Avenue, NW. Washington, DC 20560	202-381-5795	Washington, DC
F/NEC8	Atlantic Environmental Group Director, Merton C. Ingham Route 7A, P.O. Box 522A Narragansett, RI 02882	401-789-9326	Narragansett, RI
F/SWC	Southwest Fisheries Center Director, Izadore Barrett 8604 La Jolla Shores Drive P.O. Box 271 La Jolla, CA 92038	714-453-2820	La Jolla, CA
F/SWC2	Honolulu Laboratory Director, Richard S. Shomura 2570 Dole Street, P.O. Box 3830 Honolulu, HI 96812	808-946-2181	Honolulu, HI
F/SWC3	Tiburon Laboratory Director, Norman Abramson 3150 Paradise Drive Tiburon, CA 94920	415-435-3149	Tiburon, CA
F/SWC4	Pacific Environmental Group Chief, Gunter Seckel c/o Fleet Numerical Weather Central Monterey, CA 93940	408-373-3331	Monterey, CA

(Cont.)



PUBLICATIONS OFFICE

Mail  
routing  
code

Telephone  
number

Location

F/NWR1

Scientific Publications Office  
Chief, Jack M. McCormick  
1700 Westlake Avenue, N.  
Seattle, WA 98109

206-442-4232

Seattle, WA

Table 18. — NMFS/NOAA staff - FCMA matters

Subject	Office	Contact	Office routing code	Telephone
<u>A d m i n i s t r a t i v e</u>				
Administrative grants	Office of the Executive Director, NMFS, Page Building 2	Dave Rand	Fx33	634-7444
Budget/finance information	Office of the Executive Director, NMFS, Page Building 2	Dave Rand	Fx33	634-7444
Charter (renewals, amendments, etc.)	Office of the Executive Director, NMFS, Page Building 2	Jack Falls	Fx32	634-7405
Council handbook	Office of the Executive Director, NMFS, Page Building 2	Dave Rand	Fx33	634-7444
Council Memorandum	Office of the Executive Director, NMFS, Page Building 2	Edna Ross	Fx3	634-7405
Council staffs (size, levels, etc.)	Office of the Executive Director, NMFS, Page Building 2	Jack Falls	Fx32	634-7405
Foreign travel	Office of the Executive Director, NMFS, Page Building 2	Jack Falls	Fx32	634-7405
Meeting notices and schedules	Office of the Executive Director, NMFS, Page Building 2	Jack Falls	Fx32	634-7405
Membership (Council appointments)	Office of the Assistant Administrator for Fisheries, NMFS, Page Building 2	Robin Tuttle Waxman	F	634-7283
Membership (SSC and AP)	Office of the Executive Director, NMFS, Page Building 2	Jack Falls	Fx32	634-7405
Programmatic grants	Office of the Executive Director, NMFS, Page Building 2	Dave Rand	Fx33	634-7444
Reports - annual FCMA	Office of the Executive Director, NMFS, Page Building 2	Edna Ross	Fx3	634-7405
Reports - Federal Advisory Committee	Office of the Executive Director, NMFS, Page Building 2	Jack Falls	Fx32	634-7405
Reports - Semiannual report on enforcement from Secretary - compliance with provisions of FCMA	Office of Resource Conservation and Management, NMFS, Page Building 1	Morris Pallozzi	F/CM5	634-7265
Security clearances	Office of the Executive Director, NMFS, Page Building 2	Jack Falls	Fx32	634-7405
Statement of Operations, Practices, and Procedures - Councils	Office of the Executive Director, NMFS, Page Building 2	Jack Falls	Fx32	634-7405
<u>O p e r a t i o n a l</u>				
Congressional affairs	Office of Congressional Affairs for Fisheries, NOAA, Page Building 2	John Wedin	CAX2	634-1795
Council liaison	Office of Resource Conservation and Management, NMFS, Page Building 2	Joe Clem	F/CM	634-7218
Enforcement	Office of Resource Conservation and Management, NMFS, Page Building 1	Morris Pallozzi	F/CM5	634-7265
Legal matters	Office of General Counsel for Fisheries, NOAA, Page Building 2	Jay Johnson	GCF	634-4224
Permits and regulations	Office of Resource Conservation and Management, NMFS, Page Building 2	Denton Moore	F/CM7	634-7432
Plan review	Office of Resource Conservation and Management, NMFS, Page Building 2	Roland Finch	F/CM6	634-7449
Public relations	Office of Public Affairs, Fisheries, NOAA, Page Building 2	Gerald Hill, Jr.	PAF	634-7281
Recreational fisheries	Office of Resource Conservation and Management, NMFS Page Building 2	Robert Hutton	F/CMx1	254-5536
State/Federal interactions	Office of Resource Conservation and Management, NMFS, Page Building 2	Richard Schaefer	F/CM1	634-7454
Other program/policy matters including (1) procedural regulations regarding plan preparation/implementation, (2) lead Council designating for plan development, (3) Council boundary questions, (4) amendments to FCMA, (5) Council Operations Guide.	Office of Resource Conservation and Management, NMFS, Page Building 2	William Gordon Roland Smith	F/CM F/CM	634-7218

Table 19. — Roster of Council Officers - December 31, 1979

<u>Council Chairmen</u>	<u>Council Vice Chairmen</u>	<u>Council Secretary-Treasurer</u>	<u>Executive Directors</u>
<u>New England Council</u> <u>Robert A. Jones</u> Director, Department of Environmental Protection Marine Region P.O. Box 248 Waterford, CT 06385 (203) 443-0166	<u>Jacob J. Dykatra</u> President, Pt. Judith Fishermen's Cooperative Assn. P.O. Box 730 Pt. Judith, RI 02882 (401) 783-3368	<u>Norman Olsen, Jr.</u> RFD 1, Ocean House Road Cape Elizabeth, ME 04107 (207) 767-3643	<u>Douglas G. Marshall</u> 5 Broadway (Rte. 1) Saugus, MA 01960 (617) 535-5450 FTS: 223-3822
<u>Mid-Atlantic Council</u> <u>David H. Hart</u> P.O. Box 553 Cape May, NJ 08204 (609) 884-8864	<u>Elliot J. Goldman, Esq.</u> The Philadelphian, Apt. 18-C-45 2401 Pennsylvania Avenue Philadelphia, PA 19130		<u>John C. Bryson</u> Federal Building, Room 2115 North and New Streets Dover, DE 19901 (302) 674-2331 FTS: 487-9154
<u>South Atlantic Council</u> <u>David H. G. Gould</u> Georgia Department of Natural Resources Coastal Research Program 1200 Clynm Avenue Brunswick, GA 31520 (912) 264-7218	<u>Peggy Stamey</u> 6201 Arnold Road Raleigh, NC 27607 (919) 851-0495		<u>Ernest D. Premetz</u> Southpark Building, Suite 306 1 Southpark Circle Charleston, SC 29407 (803) 571-4366
<u>Caribbean Council</u> <u>Hector M. Vega-Morera</u> President, Vega Fishing Company 33 Union Street Salinas, PR 00751 (809) 824-2730	<u>John A. Harms</u> Lagoon Marina Red Hook St. Thomas, VI 00801 (809) 775-0570		<u>Omar Munoz-Roure</u> Suite 1108 Banco de Ponce Building Hato Rey, PR 00918 Long Distance Operator: 472-6620 (809) 753-6910 FTS: 753-4926
<u>Gulf of Mexico Council</u> <u>Robert P. Jones</u> Executive Director Southeastern Fisheries Association, Inc. 124 West Jefferson Street Tallahassee, FL 32301 (904) 224-0612	<u>Edward W. Swindell</u> Zapata Protein, Inc. P.O. Box 4240 Houston, TX 77001 (713) 226-6609		<u>Wayne E. Swingle</u> Lincoln Center, Suite 881 5401 West Kennedy Boulevard Tampa, FL 33609 (813) 228-2815 FTS: 826-2815
<u>Pacific Council</u> <u>E. Charles Fullerton</u> Director, California Department of Fish and Game 1416 Ninth Street Sacramento, CA 95814 (912) 445-3131 FTS: 465-3535	<u>Herman J. McDevitt</u> P.O. Box 4747 Pocatello, ID 83201 (208) 223-4121		<u>Lorry M. Nakatsu</u> 526 SW. Mill Street Portland, OR 97201 (503) 221-6352 FTS: 423-6352
<u>North Pacific Council</u> <u>Clement Tillion</u> Fishermen and Boat Charters Halibut Cove, AK 99603 (907) 235-8281	<u>Harold E. Lokken</u> Room 230, Building C-3 Fishermen's Terminal Seattle, WA 98119 (206) 283-0758		<u>Jim H. Branson</u> P.O. Box 3136 DT Anchorage, AK 99510 (907) 274-4563 FTS: (907) 271-4064
<u>Western Pacific Council</u> <u>Wadsworth Y. H. Yee</u> President, Grand Pacific Life Insurance Company 195 South King Street Honolulu, HI 96813 (808) 548-5101	<u>Peter E. Reid, Jr.</u> Manager, GHC Reid and Company, Inc. P.O. Box 1478 Pago Pago, AS 96799 633-5169		<u>John C. Marr</u> Room 1608 1164 Bishop Street Honolulu, HI 96813 (808) 523-1368
	and		
	<u>Paul Callaghan</u> College of Business and Public Administration University of Guam P.O. Box EK Agana, GU 96810 734-9207		





# C O U N C I L   R E P O R T S

## APPENDICES A THROUGH H

### CALENDAR YEAR 1979 REPORT

#### ON THE IMPLEMENTATION OF THE

#### FISHERY CONSERVATION AND MANAGEMENT ACT OF 1976

Members of the Councils, Scientific and Statistical Committees (SSC), and Advisory Panels (AP) are listed in the appendices. Members' affiliations and/or expertise are shown as (1) Federal, (2) State fish and game, (3) recreational fish, (4) commercial fish, (5) academia, (6) consumer, and/or (7) other. "Other" is used when affiliation/expertise can not be categorized readily in the first six categories.



NEW ENGLAND COUNCIL

Voting Members

Spencer Apollonio  
Commissioner, State of Maine  
Department of Marine Resources  
State House  
Augusta, ME 04330  
Affiliation: State Fish and Game

Daniel A. Arnold  
Executive Director  
Massachusetts Inshore  
Draggermen's Association  
460 Main Street  
Marshfield, MA 02050  
Affiliation: Commercial Fish

Patrick L. Carroll, II  
94 Henderson Road  
Fairfield, CT 06430  
Affiliation: Recreational Fish

Philip G. Coates  
Director, Commonwealth of Massachusetts  
Dept. of Fisheries, Wildlife, and  
Rec. Vehicles  
Division of Marine Fisheries  
100 Cambridge Street  
Boston, MA 02202  
Affiliation: State Fish and Game

John M. Cronan  
Chief, State of Rhode Island  
Division of Fish & Wildlife  
Tower Hill Road  
Wakefield, RI 02879  
Affiliation: State Fish and Game

Herbert R. Drake  
General Manager, H.R. Drake & Sons  
130 Harbor Road  
Rye Harbor, NH 03870  
Affiliation: Commercial Fish

Jacob J. Dykstra  
President, Pt. Judith Fishermen's  
Cooperative Association  
P.O. Box 730  
Pt. Judith, RI 02882  
Affiliation: Commercial Fish  
Office held: Vice Chairman - August 1978 to present

Robert A. Jones  
Director, State of Connecticut  
Department of Environmental Protection  
Marine Region  
P.O. Box 89  
Wakefield, CT 06385  
Affiliation: State Fish and Game  
Office held: Chairman - September 1979 to present

Robert H. Lowry  
Richmond Townhouse Road  
Carolina, RI 02812  
Affiliation: Other  
Office held: Secretary/Treasurer  
August 1978 to August 1979

Harvey B. Mickelson  
Seafood Dealers Assn.  
26 Seventh Street  
New Bedford, MA 02740  
Affiliation: Commercial Fish

Thomas A. Norris  
President, Old Colony Trawling Corp.  
Boston Fisheries Association  
253 Northern Avenue, Rm. 205  
Boston, MA 02210  
Affiliation: Commercial Fish  
Office held: Vice Chairman  
September 1977 to August 1978

Francis J. O'Hara  
F. J. O'Hara & Sons, Inc.  
Tillson Avenue  
Rockland, ME 04841  
Affiliation: Commercial Fish

Norman H. Olsen, Jr.  
R.F.D.1., Ocean House Road  
Cape Elizabeth, ME 04107  
Affiliation: Commercial Fish  
Office held: Secretary/Treasurer  
September 1979 to present

Robin A. Peters  
General Manager, Maine Commercial Fisheries  
RFD  
Blue Hill Falls, ME 04615  
Affiliation: Commercial Fish

Allen E. Peterson, Jr.  
Regional Director, Northeast Region  
National Marine Fisheries Service, NOAA  
Federal Building, 14 Elm Street  
Gloucester, MA 01930  
Affiliation: Federal - NMFS  
Office held: Chairman - August 1978 to  
August 1979

Edward W. Spurr  
Supervisor of Fisheries Research  
State of New Hampshire  
New Hampshire Fish & Game Department  
Division of Inland & Marine Fisheries  
34 Bridge Street  
Concord, NH 03301  
Affiliation: State Fish and Game

Christopher Weld  
Attorney  
Sullivan & Worcester  
100 Federal Street  
Boston, MA 02110  
Affiliation: Recreational Fish

#### Nonvoting Members

Irwin M. Alperin  
Executive Director  
Atlantic States Marine  
Fisheries Commission  
1717 Massachusetts Avenue, NW.  
Suite 703  
Washington, DC 20036  
Affiliation: Other

Howard N. Larsen  
Regional Director  
U.S. Fish & Wildlife Service  
1 Gateway Center, Suite 700  
Newton Corner, MA 02158  
Affiliation: Federal - Interior

Vice Adm. Robert I. Price  
U.S. Coast Guard  
Atlantic Area  
Governors Island, NY 10004  
Affiliation: Federal - Coast Guard

Donald Yellman  
Fisheries Officer  
Department of State  
Bureau of Oceans and International  
Environmental & Scientific Affairs  
Washington, DC 20520  
Affiliation: Federal - State Department

#### Scientific and Statistical Committee Members

W. Leigh Bridges  
Assistant Director of Research  
Division of Marine Fisheries  
100 Cambridge Street  
Boston, MA 02202  
Affiliation: State Fish and Game

Joseph J. Graham  
Fishery Scientist  
State of Maine  
Fisheries Research Laboratory  
West Boothbay Harbor, ME 04575  
Affiliation: State Fish and Game

Marvin Grosslein  
Fishery Scientist  
Northeast Fisheries Center  
Woods Hole, MA 02543  
Affiliation: Academia

William Lund  
Associate Professor of Biology  
Marine Research Laboratory  
Noank, CT 06340  
Affiliation: Academia

Susan B. Peterson  
Research Associate  
Woods Hole Oceanographic Institution  
Redfield 120  
Woods Hole, MA 02543  
Affiliation: Academia

Sarah W. Richards  
Little Harbor Laboratory  
69 Andrews Road  
Guilford, CT 06437  
Affiliation: Academia  
Office held: Chairwoman, November 1979 - present

Leah J. Smith  
Economist and Research Associate  
Woods Hole Oceanographic Institution  
Crowell House  
Woods Hole, MA 02543  
Affiliation: Academia

Roderick M. Smith  
Assistant Professor  
University of New Hampshire  
Department of Zoology  
Spaulding Life Science Building  
Durham, NH 03824  
Affiliation: Academia

James Wilson  
Fishery Economist  
University of Maine  
Department of Economics  
Orono, ME 04473  
Affiliation: Academia

#### Advisory Panel Members

James D. Ackert  
577 Washington Street  
Gloucester, MA 01930  
Area of expertise: Groundfish, whiting,  
international relations

Richard B. Allen  
1735 Drift Road  
Westport, MA 02790  
Area of expertise: Commercial fisherman,  
surf clams, lobsters  
Subpanel appointment: Lobster

Joseph J. Avila, Jr.  
346 Fisher Road  
North Dartmouth, MA 02747  
Area of expertise: Billfish/swordfish

Robert Barlow  
P.O. Box 276  
Marshfield Hills, MA 02051  
Area of expertise: Inshore lobsters  
Subpanel appointment: Lobster

Balfour Bassett  
President, Canal Marine Inc.  
20 Freezer Road  
Sandwich, MA 02563  
Area of expertise: Herring freezer



Stan Bayley  
P.O. Box 4812 (DTS)  
Portland, ME 04112  
Area of expertise: Groundfish - commercial,  
swordfish, scallops

David Bergson  
Maine Fisheries, Inc.  
Holyoke Wharf  
Portland, ME 04101  
Area of expertise: Processing plant owner  
operator, redfish, whiting,  
international negotiations

Edward Blackmore  
Maine Lobstermen's Assn., Inc.  
P.O. Box 128  
Stonington, ME 04681  
Area of expertise: Lobsters  
Subpanel appointment: Lobster

Hans Blomstrom  
ADE Food Company  
417 Main Street  
Gloucester, MA 01930  
Area of expertise: Owner and operator -  
shrimp and crab meat operator

F. N. Blount  
President, Blount Seafood Corp.  
383 Water Street  
Warren, RI 02885  
Area of expertise: President, Blount Seafood  
Corp.; quahogs, surf clams

F. Brent Bradford  
5 Sylvan Lane  
Cumberland Foreside, ME 04110  
Area of expertise: Gillnetter

Mary Ann Bradford  
5 Sylvan Lane  
Cumberland Foreside, ME 04110  
Area of expertise: Maine Fishermen's Wives Assoc.

Nino Brancoleone  
2 Hesperus Circle  
Magnolia, MA 01930  
Area of expertise: Owner and Captain of an offshore  
dragger, experienced in Georges  
Bank and Browns Bank

David A. Brayton, Jr.  
Sakonnet Pt. Road  
Little Compton, RI 02837  
Area of expertise: Surf clams, lobsters,  
swordfisherman

Paul Brayton  
Atlantic Survival Equipment Company, Inc.  
1971 Main Road  
Westport Point, MA 02791  
Area of expertise: Offshore lobsterman,  
swordfish

Robert M. Brieze  
Hercules Fishing Products, Inc.  
10 Jarvis Avenue  
Fairhaven, MA 02719  
Area of expertise: Scallop vessel owner

Robert Brown  
Thomson Brown Inc.  
Snow Inn Road  
Harwich, MA 02646  
Area of expertise: Offshore lobstering  
Subpanel appointment: Lobster

Robert Bruce  
Apple Street  
Essex, MA 01929  
Area of expertise: Inshore dragger

John Burt  
62 N. Water Street  
New Bedford, MA 02740

Luther Cahoon  
41 W. Arch Street  
Pawtucket, CT 06379  
Area of expertise: Yellowtail, blackback, herring

William Canning  
235 Broadway  
Apartment 11  
South Portland, ME 04106  
Area of expertise: Groundfish, redfish captain

Charles Carson  
15 Hope Lane  
Narragansett, RI 02882  
Area of expertise: Sportsfisherman

Benjamin Chianciola  
9 Bellevue Avenue  
Gloucester, MA 01930  
Area of expertise: Vessel owner, operator

Joseph Codinha, Jr.  
29 Ocean Avenue  
Magnolia, MA 01930  
Area of expertise: Plant owner operator,  
40 years processing all  
kinds of groundfish

Mario Costa  
Woodbine Drive  
Plymouth, MA 02360  
Area of expertise: Charter boat operator  
all kinds of fishing

James Costakes  
General Manager, Seafood Producers' Assn.  
60 N. Water Street  
New Bedford, MA 02740  
Area of expertise: Scallops

Eugene C. Courtney  
35 Cambridge Road  
Woburn, MA 01801  
Area of expertise: Wildlife Federation  
representative

Joseph S. Curcuru  
159 Washington Street  
Gloucester, MA 01930  
Area of expertise: Herring captain

Frank Cyganowski  
52 Cedar Street  
Fairhaven, MA 02719  
Area of expertise: Tuna, herring, mackerel

Ed Dodge  
Owls Head, ME 04854  
Area of expertise: Groundfish, inshore dragger

Harry Eggleston  
P.O. Box 284  
Route 6A  
Provincetown, MA 02657  
Area of expertise: Scallop

Roy Enoksen  
370 Margaret Street  
New Bedford, MA 02740  
Area of expertise: Scallop fisherman

Jack Fallon  
96 North Road  
Chelmsford, MA 01824  
Area of expertise: Saltwater recreational fishing

Joseph Faro  
Yankee Lobster  
Northern Avenue  
Boston, MA 02210  
Area of expertise: Lobster  
Subpanel appointment: Lobster

Charles Follet, Jr.  
17 Beach Hill Road  
Peace Dale, RI 02983  
Area of expertise: Menhaden, herring

Norman Foye  
2 Church Street  
Kittery, ME 03904  
Area of expertise: Gillnetter  
Subpanel appointment: Lobster

Raymond Gilmore  
Gilmore Fishing Pier  
Hampton Beach, NH 03842  
Area of expertise: Party boat rep.

Maynard Graffam, Jr.  
Central Street  
Rockport, ME 04856  
Area of expertise: Lobster  
Subpanel appointment: Lobster

Alan D. Guimond  
Atlantic Offshore Fish &  
Lobster Assn.  
P.O. Box 438  
Bristol, RI 02809  
Area of expertise: Executive Secretary,  
Atlantic Offshore Fish &  
Lobster Assn., billfish/swordfish  
Subpanel appointment: Lobster

Lee Harrington  
Massachusetts Coastal Seafoods  
P.O. Box 77  
Cape Ann Industrial Park  
Gloucester, MA 01930  
Area of expertise: Plant owner operator

Roland Harrington  
F.E. Harding Co.  
16 Fish Pier  
Boston, MA 02210  
Area of expertise: Processor

Alan G. Hill  
Yankee Fleet  
P.O. Box 589  
Gloucester, MA 01930  
Area of expertise: Party boat operator

George D. Hilton  
Hilton's Fishing Dock  
54 Merrimac Street  
Newburyport, MA 01950  
Area of expertise: Party boat operator

Forrest Hoxsie  
75 Avic Street  
Narragansett, RI 02882  
Area of expertise: Swordfish spotter, groundfish

Walter Hynes  
Yankee Tackle, Inc.  
73 Essex Avenue  
Gloucester, MA 01930  
Area of expertise: Recreational fisheries

Leif Jacobsen  
78 Green Street  
Fairhaven, MA 02719  
Area of expertise: Vessel owner operator,  
groundfish

Charles Johnson, III  
South Harpswell, ME 04079  
Area of expertise: Billfish/swordfish

Thomas F. Jordan  
Rte. 1-61  
Falmouth, ME 04105  
Area of expertise: Groundfish dragger/swordfish

Peter W. Kelly, III  
40 Warren Avenue  
Cape Elizabeth, ME 04107  
Area of expertise: Groundfish - commercial,  
vessel owner, retail market,  
lobsters

Jay Lanzillo  
P.O. Box 613  
Orleans, MA 02653  
Area of expertise: Chatham, Provincetown Coop.

Bernard J. Lewis  
Vice President  
Coastal Fisheries  
P.O. Box 4566, Brown's Wharf  
Portland, ME 04112  
Area of expertise: Processing plant owner  
operator; lobster  
Subpanel appointment: Lobster

Francis Lewis  
94 Maplewood Avenue  
Gloucester, MA 01930  
Area of expertise: Managerial processing  
plant; member of Gloucester  
Fisheries Commission

Charles J. Lincoln  
P.O. Box 423  
Durham, NH 03824  
Area of expertise: Lawyer 30 years; owns and  
operates commercial boat

Harold Loftes  
16 Tarlton Road  
Wakefield, RI 02879  
Area of expertise: Pair trawler for herring  
and menhaden

William Lundrigan  
Port Agent  
New Bedford Fishermen's Union  
62 N. Water Street  
New Bedford, MA 02740  
Area of expertise: Practical fisherman for 30 years

Henry Lyman  
Publisher, SALT WATER SPORTSMAN  
10 High Street  
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Area of expertise: Groundfish (whiting)

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Area of expertise: Herring, whiting processing

Edward W. Malley, III  
67 Border Street  
Scituate, MA 02060  
Area of expertise: Billfish/swordfish

Francis Manchester  
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Tiverton, RI 02878  
Area of expertise: Trap fisherman, dealer;  
lobster  
Subpanel appointment: Lobster

Myron Marder  
43 Joseph Street  
North Dartmouth, MA 02747  
Area of expertise: Owns scallop draggers

John Marletta  
Lab. Director  
Biomarine Research Corp.  
P.O. Box 1153  
State Pier  
Gloucester, MA 01930  
Area of expertise: Chemist with well-rounded  
knowledge of fishing industry.  
Well versed in field of analysis  
pertaining to quality control.

Thomas W. Martin, III  
215 High Street  
South Portland, ME 04106  
Area of expertise: Billfish/swordfish

James McCauley  
72 Woodsman Trail  
Wakefield, RI 02879  
Area of expertise: Vessel owner operator  
and mixed groundfish

Irving H. McConchie  
P.O. Box 27  
Owls Head, ME 04854  
Area of expertise: Lobster  
Subpanel appointment: Lobster

Robert McDonough  
314 McKinley Road  
Portsmouth, NH 03801  
Area of expertise: President, New Hampshire Lobster  
and Off-Shore Fisherman's Assn.;  
lobster and groundfish

Robert McLellan  
Sunset Road  
Boothbay Harbor, ME 04538  
Area of expertise: Commercial fisherman  
groundfish, herring, pair trawling

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P.O. Box 115  
Cliff Island, ME 04019  
Area of expertise: Lobster  
Subpanel appointment: Lobster

Everett B. Mills  
192 Old Harbor Road  
Adamsville, RI 02801  
Area of expertise: Billfish/swordfish

Leo Murphy  
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Area of expertise: Lobster  
Subpanel appointment: Lobster

Russell Nagle  
John Nagle Co.  
33 Fish Pier  
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John F. Newick  
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Fisheries Steering Committee

Joseph Novello  
38 Middle Street  
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Area of expertise: Owner and Capt. of dragger - well  
versed on the offshore fisheries  
of the Northwest Atlantic

James S. O'Malley  
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Executive Secretary  
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Fisheries Assn., Inc.

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Area of expertise: Groundfish (whiting)

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Aux. 3, RFD 5  
Seabrook, NH 03874  
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Commission - lobsters

Vincent Prien  
Rye, NH 03870  
Area of expertise: Gillnetter

Capt. B. F. Rathbun  
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Professional Boatman's Assn.

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Joseph J. Roderick  
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Area of expertise: Inshore groundfish dragger

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Robert Rose  
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Gloucester, MA 01930  
Area of expertise: Groundfish, lobster  
Subpanel appointment: Lobster

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140 Buckwood Drive  
Hyannis, MA 02601  
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19 Locust Lane  
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Area of expertise: Party boat; 20 years commercial  
fishing

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Union; experienced in inshore  
and offshore fisheries of the  
North Atlantic

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Subpanel appointment: Lobster

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President, Stinson Canning Company  
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58 Lombard Street  
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Subpanel appointment: Lobster

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Mattapoisett, MA 02739  
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fish and pelagic finfish

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Mearle Corporation  
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finfish fishing

#### Administrative Staff

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G. Paul Draheim, Deputy Executive Director

Patricia M. Pelczarski, Executive Secretary

Judy J. Ring, Secretary

Der-Hsiung Wang, Economist

Louis Goodreau, Economist

Guy D. Marchesseault, Chief Technical Officer

Howard J. Russell, Jr., Biologist

Vacant, Statistician

# NEW ENGLAND COUNCIL

## MEETINGS

### Council

Date and location	Brief description of subjects discussed	Open, closed, or partially closed
January 3-4, 1979 Peabody, MA	Groundfish - reopening of fishery. Foreign Permits - acceptance of committee report. Regulatory Measures - review Mid-Atlantic Council Draft 5b. Surf clam - extension of moratorium. Council compensation - acceptance of Executive Committee report. Silver hake - status report.	open
February 7-8, 1979 Peabody, MA	Groundfish - request for rescission of fishery closure. Outer Continental Shelf - report by Conservation Law Foundation. Surf clam - administrative record review. Other flounder - lead Council designation request of Secretary. Mesh - report of mesh size trials. Groundfish closure - report of Groundfish Oversight Committee.	open
March 14-15, 1979 Peabody, MA	Groundfish FMP - vote to accept proposed amendment for the fishing year 1978/79. Regulatory measures - report. United States/Canadian agreement - status of draft agreement. Scallops FMP - status of FMP development. Herring FMP - vote to take to public hearing recommendation of Oversight Committee proposed amendments for fishing year 1979/80.	open
April 18-19, 1979 Peabody, MA	Multispecies Task Force - need and purpose of. Regulatory measures - vote to take gear conflict regulations to public hearings. European Economic Community allocations - report of Ambassador Negroponte. Groundfish - vote to take to public hearing recommendations of Oversight Committee amendments for 1979/80.	open
May 16-17, 1979 Peabody, MA	Groundfish - additional species considered - redesignation as Atlantic demersal finfish. Scallops - status report of Oversight Committee and advisors. Multispecies Task Force - status of. Log books - report of Groundfish and Herring Oversight Committees. Foreign permits - recommendation to deny - tuna longliners Japan. Joint ventures - response to proposed interim final regulations. Georges Bank call/Department of Interior - appointment of committee.	open
June 27-28, 1979 Danvers, MA	Groundfish - NMFS recommendations 4th quarter - July 1-September 30, 1979. Groundfish - approval of amendments fishing year 1979-80.	open

Atlantic Demersal Finfish FMP - report of Groundfish Oversight Committee.  
 Georges Bank call/Department of Interior - report of committee.  
 Log books - recommendation to delay implementation.  
 FMP development - report of Herring, Lobster.  
 Scallop Oversight Committees.  
 United States/Canadian Treaty - discussion  
 Oversight Hearings - response to request of FW&E.

August 1-2, 1979  
 Peabody, MA

Herring - delay in implementation of amendment discussion.  
 Lobster - review management objectives.  
 Georges Bank Marine Sanctuary - report of committee.  
 Groundfish - request for emergency implementation 79/80 amendment.  
 Regulatory measures - committee report - schedule public hearings.  
 Log books - implementation delay.

open

September 5-6, 1979  
 Bar Harbor, ME

Election of officers - Robert Jones - Chairman, Jacob Dykstra - Vice Chairman, Norman Olsen - Secretary.  
 Lobster - report of Oversight Committee.  
 Atlantic demersal finfish - report of Groundfish Oversight Committee.  
 Groundfish - approval of action to initiate new Groundfish FMP.  
 Bluefin tuna - voted to support HR 4357.

open

October 3-4, 1979  
 Eastham, MA

Herring fishery - closure announcement.  
 Herring FMP - approval of amendment to permit harvesting of adults in Gulf of Maine during November.  
 FCMA hearings - adoption of proposed amendments to FCMA for submission to FWC&E.  
 Georges Bank Marine Sanctuary - opposition to Departments of Commerce and Interior agreements.  
 FMP development - report of Scallop, Groundfish, Lobster Oversight Committees.

open

November 7-8, 1979  
 Danvers, MA

Atlantic demersal finfish - report of Groundfish Oversight Committee.  
 Lobster FMP - adoption of plan objectives.  
 Herring FMP - establish working groups.  
 Scallop FMP - report of Oversight Committee status of plan.  
 Multispecies Task Force - report on Phase I.

open

December 12-13, 1979  
 Danvers, MA

Groundfish - status of interim plan.  
 Scallops - status of plan development.  
 Permit/sanction - discussion.  
 Regulatory measures - report.  
 Data confidentiality - discussion.

open

#### Scientific and Statistical Committee

January 30, 1979  
 Peabody, MA

Status of United States/Canadian negotiations.  
 State/Federal Lobster Plan.  
 Effort/control in the groundfish fishery.

open

February 28, 1979  
 Woods Hole, MA

Lobster FMP - data requirement.  
 Review of programmatic request.  
 Conflict of Interest - implication for SSC members.  
 Log books.

open



March 23, 1979 Boston, MA	Silver hake - potential management strategies. Sea scallops - biological and economic impacts.	open
May 2, 1979 Woods Hole, MA	Proposed Groundfish Task Force. Log books. Definition of OY.	open
June 20-21, 1979 Woods Hole, MA	Groundfish fisheries - definition of workable. objectives and strategies for management.	open
July 17, 1979 Peabody, MA	Pollock FMP - review of descriptive draft. Redfish FMP - review of status.	open
September 19, 1979 Woods Hole, MA	Northeast Fishery Management Task Force - review of documents.	open
November 13, 1979 Boston, MA	Redfish FMP - review of status of plan development. Georges lease sale - review of status of legal action.	open open
December 12, 1979 Peabody, MA	Log books - fishing vessel records - task group. Icelandic cod - discussion of management system. Scallop FMP - review of progress and issues. Lobster FMP - review of independent analysis of the impact of increase in minimum size.	open

#### PUBLIC HEARINGS

Date and location	Brief description of subjects discussed
<u>GROUND FISH</u>	
March 14, 1979 Peabody, MA	Stock assessments - question validity. Vessel allocations - inadequate for larger vessels. East and West of 69° - questioned need for. Quotas/OY's - question sufficiency of.
April 12, 1979 Portland, ME	OY's - support increase. Stock assessments - questioned validity. Species/area allocations - challenged need for.
April 16, 1979 Peabody, MA	Quarterly allocations - transferability. OY's - questioned basis for establishing.
April 30, 1979 Riverhead, Long Island, NY	Recreational fishery - allocation - how to regulate. Seasonal allocations - inequitable for area. East and West of 69° - eliminate.
May 16, 1979 Portland, ME	OY's - questioned basis for determining. Mesh size - opposed to increase. Minimum length - opposition to. Complementary regulations Territorial Seas - questioned need for.
May 21, 1979 Gloucester, MA	Minimum size - opposition to. Complementary regulations Territorial Seas - questioned need for.
May 23, 1979 Galilee, RI	East and West 69° - challenged need for. Mesh size - why area differences. Administrative flexibility - how much.
May 29, 1979 Riverhead, Long Island, NY	East and West 69° - legality challenged. Allocations - separate allocations; Mid and New England. Mesh size - opposition to increase. Complementary regulations - opposition to.
May 30, 1979 New Bedford, MA	Mesh size - opposition to increase. MSY - validity challenged.

## HERRING

April 9, 1979  
Rockport, ME

Spawning closures - need more specifics before establishing.  
OY's - question imposition of if none for juveniles.  
Area quotas - basis for establishing.

April 10, 1979  
Gloucester, MA

OY's - question of imposition of if none for Maine juveniles age 3+.  
Adult fishery - need for clarity in definition of.  
Spawning closures - opposed to if no plan for juveniles.

April 11, 1979  
Galilee, RI

Adult fishery age 3+ - need for clarity in definition of.  
Area quotas - transferability of.  
Spawning closures - need for specificity in areas.



## MID-ATLANTIC COUNCIL

### Narrative

This 1979 Annual Report of the Mid-Atlantic Fishery Management Council covers the third full calendar year of the Council's operation. During the year the Atlantic Mackerel, Atlantic Squid, and Atlantic Butterfish FMP's were approved, as were Amendments #1 and #2 to the Surf Clam and Ocean Quahog FMP. Work plans were prepared and submitted to NOAA for the Bluefish, Scup, Black Sea Bass, Tilefish, Summer Flounder, Other Flounders, and Dogfish FMP's. Work is continuing on the Atlantic Sharks FMP.

The Council met 12 times during the year and held 32 public hearings. The Scientific and Statistical Committee met 7 times. There were 14 Advisory Subpanel meetings during the year.

#### Surf Clam and Ocean Quahog FMP

The original Surf Clam and Ocean Quahog FMP was prepared to cover a 2-year period that expired September 30, 1979. Amendment #1 extended the FMP through the end of calendar year 1979, primarily to insure that the latest stock assessments would be available for the long-term extension of the FMP.

Amendment #2 was designed to extend the FMP for at least 2 years. The public hearing draft of the amendment proposed, as one alternative, the development of a direct allocation system as a replacement for the vessel moratorium in the surf clam fishery. Another alternative was the development of a separate management regime for the New England surf clam fishery. Comments during the review process led to the conclusion that removal of the vessel moratorium was premature, given the alternatives that had been identified. Therefore, the final version of Amendment #2 extended the FMP and the vessel moratorium through the end of calendar year 1981. It also included the separate regime for the New England fishery.

The Surf Clam and Ocean Quahog Advisory Subpanel has been meeting monthly to develop an alternative to the vessel moratorium.

#### Atlantic Mackerel FMP

This FMP is primarily designed to facilitate rebuilding of the Atlantic mackerel stock. The FMP is based on an April 1 - March 31 fishing year.

Amendment #1, which has been submitted for Secretarial approval, extends the FMP through fishing year 1980-81. It introduces a reserve in the management regime, primarily to account for unexpected increases in the U.S. fishery.

As of the end of the year, a work plan for an additional extension was being drafted. The work plan also included the possible merger of the Atlantic Mackerel FMP with the Atlantic Squid and Atlantic Butterfish FMP's.

#### Atlantic Squid FMP

The Atlantic Squid FMP is based on an April 1 - March 31 fishing year. It includes both Loligo and Illex. The original FMP was for fishing year 1979-80.

Amendment #1 introduced a reserve into the management regime and extended the FMP indefinitely. Amendment #1 has been submitted for approval by the Secretary of Commerce.

#### Atlantic Butterfish FMP

This FMP was prepared for fishing year 1979-80 (April 1 - March 31). It was approved by the Council for public hearings July 12, 1978. The public hearings were held between September 20 and October 4, 1978. The final version of the FMP was approved by the Council on November 16, 1978. It was submitted to NMFS for Secretarial approval on December 1, 1978, and the 60-day Secretarial review began on December 8, 1978. The plan was disapproved in May 1979, primarily because it was felt that there were insufficient data in the plan to justify the plan's premise that if the optimum yield (OY) was set at a level significantly less than maximum sustainable yield (MSY), the resultant total allowable level of foreign fishing (TALFF), given a known U.S. harvesting capacity (USCAP), would be low enough to stimulate foreign purchases of U.S. harvested butterfish. Further research resulted in minimal additional data. The FMP was revised and approved by the Council on June 14, 1979, and submitted for Secretarial approval on June 15, 1979. The revised FMP received Secretarial approval on November 9, 1979. From November 16, 1978, until November 9, 1979, there were no significant changes, except editorial, made to the FMP. The MSY remained constant at 16,000 metric tons (mt), the OY at 11,000 mt, the USCAP at 7,000 mt, and the TALFF at 4,000 mt.

It must also be noted that the TALFF in the FMP was the same as the TALFF in the preliminary fishery management plan (PMP). The significant differences between the FMP and PMP were the OY and USCAP. In the PMP the OY was 18,000 mt and USCAP 14,000 mt. The Council's concern at the time the FMP was prepared was not the value of the initial TALFF, but the high value of the USCAP in the PMP. Since U.S. landings historically were approximately 3,500 mt, the USCAP of 14,000 mt in the PMP created a possibility for reallocations from USCAP to TALFF of such a magnitude that no U.S. export fishery would develop. Total butterfish catches in the northwestern Atlantic before implementation of the Fishery Conservation and Management Act (FCMA) of 1976 averaged approximately 12,000 mt annually. It was, therefore, necessary to establish values in the FMP that would be reasonable in light of this general estimate of overall demand.

Another problem was that butterfish is a bycatch in the foreign Loligo fishery. Therefore, to set a TALFF excessively low would have been unreasonable. The Council reviewed the historical relationship between butterfish and Loligo catches in the foreign fishery.



The 4,000 mt TALFF in the FMP was considered reasonable given the Loligo TALFF in the Atlantic Squid PMP in effect when the plan was being developed and the proposed TALFF in the Atlantic Squid Fishery Management Plan that was prepared by the Council.

Amendment #1, to extend the FMP through fishing year 1980-81, is currently in the review process. The draft Amendment #1 was approved by the Council on December 13, 1979.

#### Administrative

The Council has implemented the recommendations of the Department of Commerce audit. An Administrative Procedures Manual for the staff has been prepared. Logs are maintained of vehicle and equipment use. The Statement of Operating Procedures and Practices (SOPP's) has also been revised. The SOPP's are currently being reviewed by the Rules Committee in light of the proposals in the preliminary draft of the FCMA Operations Handbook.

#### Voting Members

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Office held: Finance Committee Chair

James E. Douglas, Jr.  
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Office held: South Atlantic Council Liaison

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Office held: Vice Chair for a 1-year term  
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#### Nonvoting Members

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Scientific and Statistical Committee

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### MID-ATLANTIC COUNCIL

#### MEETINGS

##### Council

Date and location	Brief description of subjects discussed	Open, closed, or partially closed
January 10-12, 1979 Norfolk, VA	Recommended 100% observer coverage. Recommended a bad weather make-up day be provided for in the surf clam fishery. Decided to retain lead responsibility for the Other Flounders FMP.	open
February 14-16, 1979 Ocean City, MD	Recommended standard starting and stopping times in the surf clam fishery. Agreed to oppose the United States/Canadian Fisheries Agreement until information has been supplied by the State Department. Decided to schedule fact-finding meetings on the proposed Bluefish FMP.	open
March 14-16, 1979 Islip, NY	Approved Amendment #1 to the Surf Clam and Ocean Quahog FMP. Requested that NMFS impose gear restrictions in the surf clam fishery. Adopted draft 6A of the Gear Conflict Regulations.	open

April 11-13, 1979 Philadelphia, PA	Adopted the public hearing draft of Amendment #2 to the Surf Clam and Ocean Quahog FMP. Voted to oppose the request of the EEC for a block allocation rather than individual allocations. Approved a revised FMP development schedule.	open
May 9-11, 1979 Cape May, NJ	Reviewed the Butterfish FMP. Held a workshop on the work of FDA and EPA on PCB's and other micro-constituents in seafoods.	open
June 13-15, 1979 Philadelphia, PA	Approved the revised Butterfish FMP. Requested that the 69° line be removed from the Groundfish FMP for purposes of managing the yellowtail fishery. Voted to oppose the United States/Canadian Fisheries Agreement. Urged the New England Council to accelerate work on the Scallop FMP. Requested that the scallop fishery be declared a conditional fishery. Recommended that the FCMA be amended to give the Secretary of Commerce authority to adopt emergency regulations for fisheries which are in jeopardy even though an FMP has not yet been completed.	open
July 11-13, 1979 Philadelphia, PA	Accepted the New England Council's schedule for preparation of the Scallop FMP. Agreed that Atlantic bluefin tuna should be included in the FCMA. Approved work plans for the Bluefish FMP, Amendment #1 to the Atlantic Mackerel FMP, Amendment #1 to the Atlantic Squid FMP, and Amendment #1 to the Butterfish FMP. Approved the regulatory analysis for the Atlantic Mackerel FMP. Authorized the staff to prepare draft work plans and begin the scoping process for the species remaining on the Council's planning list. Recommended that a tagging program or other methodology be instituted to determine if the cod stock currently described as "Georges Bank - Southern New England" is actually composed of several stocks. Approved the administrative and programmatic budget for fiscal year 1980. Proposed a reallocation of 4,000 mt of <i>Illex</i> to TALFF for the current fishing year. Agreed to request that the Department of Energy give fishermen 100% priority of need for fuel allocations.	open
August 8-10, 1979 Philadelphia, PA	Approved Amendment #2 to the Surf Clam and Ocean Quahog FMP. Approved the public hearing drafts of Amendment #1 to the Atlantic Mackerel FMP, Amendment #1 to the Atlantic Squid FMP, and Amendment #1 to the Butterfish FMP. Reelected Capt. David H. Hart and Elliot J. Goldman, Esq., Chairman and Vice Chairman, respectively.	open
September 12-14, 1979 Philadelphia, PA	Approved work plans for the Scup, Black Sea Bass, Tilefish, Other Flounders, Summer Flounder, and Dogfish FMP's. Directed the staff to complete work on the Atlantic Sharks FMP as soon as the necessary data has been received from the Northeast Fisheries Center.	open
October 10-11, 1979 Philadelphia, PA	Recommended that the Georges Bank Marine Sanctuary nomination be reinstated and that an EIS be prepared on it. Recommended that NMFS close an area off Ocean City, MD, to surf clamming.	open
November 14-16, 1979	Adopted Amendment #1 to the Atlantic Squid FMP and Amendment #1 to the Atlantic Mackerel FMP. Held a scoping meeting for the proposed Black Sea Bass, Scup, Tilefish, Other Flounders (winter, witch, plaice, and windowpane), Summer Flounder,	open

Dogfish FMP's. Adopted a statement to be sent to the U.S. Attorney General, the Secretary of Commerce, the Commandant of the Coast Guard, the NOAA Assistant Administrator for Fisheries, and the NMFS Regional Director on the enforcement of regulations implementing the Surf Clam and Ocean Quahog FMP. Requested that the Secretary of Commerce delay any closure of the groundfish fishery until the Council has had an opportunity to meet with the Secretary to discuss the social and economic implications of such a closure. Requested that the NMFS consider revising current logbooks to the extent possible as to format and data collection methods prior to implementing these logbooks for the Squid, Mackerel, and Butterfish FMP's and that the NMFS allow all possible latitude in methods of reporting data until data collection system problems are resolved. Recommended approval of joint venture applications IT-79-0024 and IT-80-0024 subject to the following conditions: that fishing pursuant to IT-80-0024 be completed by March 31, 1980; that adequate observer coverage be provided on the processing vessel during times of receiving and processing fish; and that the bycatch allowed the processing vessel not exceed that amount normally allowed a foreign nation fishing under the TALFF provisions.

December 12-13, 1979  
Philadelphia, PA

Agreed to keep the South Atlantic Council advised of progress on the Black Sea Bass FMP to avoid conflicts with the Snapper/Grouper FMP. Adopted Amendment #1 to the Atlantic Butterfish FMP for public hearings. Adopted preliminary objectives for the Bluefish FMP. Agreed to propose a joint meeting with the South Atlantic Council. Approved a letter to the New England Council commenting on the SEIS for Amendment #4 to the Groundfish FMP. Approved a letter to the Assistant Administrator for Fisheries commenting on the proposed regulations to implement Amendment #2 to the Surf Clam and Ocean Quahog FMP.

open

#### Scientific and Statistical Committee

April 9, 1979  
Philadelphia, PA

Reviewed proposed Amendment #2 to the Surf Clam and Ocean Quahog FMP. Reviewed draft Lobster FMP.

open

June 4, 1979  
Philadelphia, PA

Reviewed proposed Council research projects for FY80. Reviewed the draft Bluefish FMP Work Plan.

open

July 2, 1979  
Philadelphia, PA

David Deuel of NMFS gave a presentation on the National Marine Angler Survey. Recommended revisions to the Bluefish FMP Work Plan. Reviewed and approved the draft Regulatory Analysis for the Mackerel FMP.

open

July 30, 1979  
Philadelphia, PA

Recommended Council approval of revised Amendment #2 to the Surf Clam and Ocean Quahog FMP. Reviewed and recommended Council approval of Amendment #1 to Atlantic Squid FMP, Amendment #1 to Atlantic Mackerel FMP, and Amendment #1 to Atlantic Butterfish FMP.

open

September 10, 1979  
Philadelphia, PA

Reviewed and recommended Council approval of work plans for dogfish, other flounders, summer flounder, sea bass, scup and tilefish. Reviewed work plan for Shad and River Herring FMP and recommended that an FMP not be prepared at this time.

open

November 5, 1979 Philadelphia, PA	Reviewed the work of the Multispecies Management Task Force and made recommendations for Phase II. Reviewed objectives for future FMP's.	open
December 3, 1979 Philadelphia, PA	Reviewed proposals for Phase II of the Multispecies Management Task Force. Recommended Council approval of revised Amendment #1 to Atlantic Butterfish FMP. Reviewed research proposals for Summer Flounder FMP.	open
<u>Surf Clam/Ocean Quahog Advisory Subpanel</u>		
January 19, 1979 Dover, DE	Recommended that the Surf Clam and Ocean Quahog FMP be amended to provide a bad weather make-up day.	open
February 23, 1979 Dover, DE	Discussed Amendment #2 to Surf Clam and Ocean Quahog FMP.	open
March 9, 1979 Dover, DE	Discussed exemption of the New England surf clam fishery from the vessel moratorium. Discussed raising the ocean quahog quota. Discussed criteria for reopening closed areas.	open
July 27, 1979 Dover, DE	Recommended Council approval of revised Amendment #2 to the Surf Clam and Ocean Quahog FMP.	open
August 31, 1979 Dover, DE	Discussed problems of surf clam processors caused by increasing ocean quahog landings, criteria for reopening closed areas, and criteria for removal of the surf clam vessel moratorium.	open
September 28, 1979 Dover, DE	Recommended that an area off Ocean City, MD, be closed for surf clamming. Recommended a freeze on dredge size.	open
October 26, 1979 Dover, DE	Discussed reopening of closed areas and enforcement. Appointed a subcommittee to consider vessel allocations as an alternative to the vessel moratorium.	open
November 30, 1979 Dover, DE	Discussed vessel allocations and reopening of closed areas.	open
<u>Mackerel Advisory Subpanel</u>		
August 27, 1979 Philadelphia, PA	Reviewed Amendment #1 to Atlantic Mackerel FMP.	open
<u>Squid and Butterfish Advisory Subpanel</u>		
August 29, 1979 Philadelphia, PA	Reviewed Amendment #1 to Atlantic Squid FMP.	open
November 14, 1979 Philadelphia, PA	Reviewed and recommended Council approval of Amendment #1 to Atlantic Squid FMP.	open
<u>Scallop Advisory Subpanel</u>		
March 2, 1979 Philadelphia, PA	Reviewed status of Sea Scallop FMP. Discussed possible FMP objectives.	open
November 9, 1979 Philadelphia, PA	Reviewed proposed management measures for Sea Scallop FMP.	open
<u>Bluefish Advisory Subpanel</u>		
June 29, 1979 Philadelphia, PA	Reviewed draft work plan for proposed Bluefish FMP.	open



## PUBLIC HEARINGS

Date and location	Brief description of subjects discussed
February 21, 1979, Tinton Falls, NJ	Surf Clam & Ocean Quahog FMP Amend. #1.
February 21, 1979, Norfolk, VA	Surf Clam & Ocean Quahog FMP Amend. #1.
February 22, 1979, Newport, RI	Surf Clam & Ocean Quahog FMP Amend. #1.
February 23, 1979, Ocean City, MD	Surf Clam & Ocean Quahog FMP Amend. #1.
March 5, 1979, Lewes, DE	Bluefish FMP Factfinding.
March 6, 1979, Riverhead, NY	Bluefish FMP Factfinding.
March 7, 1979, Norfolk, VA	Bluefish FMP Factfinding.
March 12, 1979, Rockville Center, NY	Bluefish FMP Factfinding.
March 13, 1979, Belmar, NJ	Bluefish FMP Factfinding.
March 19, 1979, Barnegat, NJ	Bluefish FMP Factfinding.
May 2, 1979, Waterbury, CT	Bluefish FMP Factfinding.
July 10, 1979, New Bedford, MA	Surf Clam & Ocean Quahog FMP Amend. #2.
July 11, 1979, Galilee, RI	Surf Clam & Ocean Quahog FMP Amend. #2.
July 12, 1979, Pomona, NJ	Surf Clam & Ocean Quahog FMP Amend. #2.
July 17, 1979, Cape May, NJ	Surf Clam & Ocean Quahog FMP Amend. #2.
July 18, 1979, Ocean City, MD	Surf Clam & Ocean Quahog FMP Amend. #2.
July 19, 1979, Norfolk, VA	Surf Clam & Ocean Quahog FMP Amend. #2.
September 18, 1979, Cape May, NJ	Gear Conflict Regulations.
September 19, 1979, Riverhead, NY	Gear Conflict Regulations.
September 20, 1979, Atlantic Beach, NC	Gear Conflict Regulations.
September 21, 1979, Norfolk, VA	Gear Conflict Regulations.
September 25, 1979, Asbury Park, NJ	Gear Conflict Regulations.
September 27, 1979, Ocean City, MD	Gear Conflict Regulations.
October 15, 1979, Galilee, RI	Squid and Mackerel FMP's Amend. #1.
October 16, 1979, Falmouth, MA	Squid and Mackerel FMP's Amend. #1.
October 17, 1979, Gloucester, MA	Squid and Mackerel FMP's Amend. #1.
October 18, 1979, Portland, ME	Squid and Mackerel FMP's Amend. #1.
October 18, 1979, Asbury Park, NJ	Squid and Mackerel FMP's Amend. #1.
October 19, 1979, Cape May, NJ	Squid and Mackerel FMP's Amend. #1.
October 22, 1979, Riverhead, NY	Squid and Mackerel FMP's Amend. #1.
October 22, 1979, Ocean City, MD	Squid and Mackerel FMP's Amend. #1.
October 23, 1979, Norfolk, VA	Squid and Mackerel FMP's Amend. #1.

## SOUTH ATLANTIC COUNCIL

### NARRATIVE PART I

The billfish fishery, probably the most glamorous of all U.S. fisheries, provides somewhat more than a million man-days of recreational angling. Indicative of the great esteem with which anglers view the billfishes is their expenditure of an estimated \$100 million per year in pursuit of the fishery. Perhaps of greater importance than the business activity generated by the fishery is the esthetic experience enjoyed by the fishermen. To most, fishing for billfish is the epitome of recreational fishing.

The objectives of the FMP are:

- o To promote conservation of the stocks throughout their range.
- o To optimize the social and economic benefits to the Nation from the billfish fishery by continuing the traditional use of billfishes in the FCZ. The fishery has been and currently is almost entirely a recreational fishery except in the Caribbean where it is both a recreational and commercial fishery, where the fish primarily is used as a source of food.
- o To provide for the highest availability of billfishes to U.S. recreational fishermen.
- o To increase our understanding of the condition of billfish stocks and the billfish fishery.

Management measures proposed to attain the objectives are as follows:

- o Closure of certain areas of the FCZ to foreign fishing activities likely to have a high bycatch of billfishes during those periods when in fact the bycatch is high and/or when foreign fishing conflicts with domestic fishing.
- o Limitation of the domestic fishery to the use of rod and reel, with exceptions to allow for the efficient prosecution of established domestic fisheries having a small bycatch of billfish.

Developing the plan has been complex, because the fish stocks occur not only in the FCZ but also in the fisheries zones of other countries and in international waters. Thus, the United States can control only a fraction of the removals from the stocks. Additionally, U.S. control within the FCZ does not extend to the highly migratory tunas, yet the longlines commonly deployed to catch tunas have a bycatch of billfish.

The FMP recommends implementation of an international plan for management of the billfishes under the auspices of an organization such as the International Commission for Conservation of Atlantic Tunas (ICCAT). The United States emphasized to ICCAT during the 1979 meeting that the United States will cooperate with ICCAT in international management of the billfishes. To date no official action has been taken by the Commission, but the

ICCAT Standing Committee on Research and Statistics has recommended reduction of effort in, and close monitoring of, the fisheries for blue marlin and white marlin. Thus this issue is unresolved at this time though some progress is being made.

To address the problem of bycatch of controlled species (billfishes) by the uncontrolled foreign tuna fishery, the FMP proposes to reach a compromise between reducing the bycatch and total freedom of access to all parts of the FCZ at all times by foreign tuna vessels. (Uncontrolled refers to control under FCMA. It is recognized that some controls on tuna fishing have been imposed under ICCAT.) It is unclear at this time how the attempt at compromise will work out.

Another difficulty was the dearth of basic information about the status of the stocks, catch rates, participation rates, and economic and social values of the fishery. The research community has responded well to the needs, but the information gaps are far from closed. NMFS, State fishery agencies, universities (both through Sea Grant and independently), fishing organizations, and individuals have undertaken research and data gathering that will bolster the management effort. Some activities have been completed and the results incorporated into the draft FMP, an example being the survey of catch and effort conducted by NMFS. Others are ongoing, and will allow refinement of the plan in the future.

Evaluation of the draft plan would be premature. It attempts to address the recognized problems in the fishery, but it also recognizes the weak data base in which it is grounded. One can hope that it will be a step toward solution of some of the problems. One can expect that revision will be needed in the future.

### NARRATIVE PART II

During the year there was continuing dialog involving the Councils and NMFS with reference to the Department of Commerce (DOC) systems audit. The audit was helpful in providing guidance to the Councils on establishment of fiscal systems. However, the audit was premised on the understanding that (1) the Councils were advisory in nature, and (2) it was the intent of the Congress that the Council staff be Federal. With this erroneous understanding, the DOC auditors proceeded to lay on the Councils the ingredients of the DOC Federal bureaucracy. The Councils were adamant that it was not the intent of the Congress that the Councils be advisory bodies nor that Council staff be Federal. After considerable dialog, NMFS accepted this view and responded accordingly to the DOC audit. The audit findings were further discussed at Congressional Oversight Hearings, and clarification of Congressional intent was provided.

The General Accounting Office (GAO) also conducted an audit during the year with particular emphasis on NMFS/NOAA support to the Councils and enforcement. The audit pointed out numerous inadequacies due primarily to lack of funds and personnel to meet the needs of the Councils.

The South Atlantic Council recognized early on that public understanding, participation, and involvement in the management process was vital to the success of management programs. The Council therefore retained a part-time information and education consultant to assist in developing an information and education network within the region. Cooperative arrangements were consummated with Sea Grant Marine Extensions, County Extension Agents, State Information and Education Directors, and various constituency groups. The Council also developed an informational brochure and a tape/slide presentation on FCMA to assist information and education efforts.

The Council presented testimony at Oversight Hearings on FCMA before the Merchant Marine and Fisheries Committee's Subcommittee on Fisheries and Wildlife Conservation and the Environment. The hearings were conducted in two phases; i.e., July 11-12 related to programs and operations of the Regional Fishery Management Councils, and October 11-12 related to the development of fishery management plans and enforcement. At the July 12 hearing, Chairman Hardesty raised the following issues:

- o The Council recommended that tuna be put under FCMA unless it was determined that the billfish bycatch of foreign longliners could be adequately regulated without such inclusion. NMFS legal staff indicated to the Committee that this was possible within certain constraints which are still open to question.
- o Considerable discussion was devoted to the legal status of Councils with special emphasis on DOC audit findings with which all of the Councils had taken strong exception. The South Atlantic Council in concert with the other seven Councils strongly opposed any efforts to federalize Council staff. The Committee made it clear that it had never been the intent of the Congress that Council staff be Federal.
- o The applicability of the Federal Advisory Committee Act (FACA) to Council operations was also extensively discussed. The South Atlantic Council indicated it had no problem with the basic principles underlying FACA (already spelled out in the Act), but objected strongly to the bureaucratic requirements being laid down by the Department of Commerce: requirements that suggested that it was the intent of Congress to make the Councils advisory bodies. The Committee made it clear that it was not the intent of the Congress to make the Councils advisory bodies. In fact, the authors of the legislation looked upon the Councils as a new form of government with a discrete and unique Federal responsibility. Further, the Committee did not intend that FACA in all of its parts be applied to the Councils. This will be clarified by amendment to FCMA, since it is apparent that the intent of Congress continues to be unclear in this regard.

At the October 11 hearing Chairman Gould provided the following views:

- o The South Atlantic Council indicated that it looks to NMFS to provide support to the Council management process, either directly or through the assemblage of other research talents. Concern was expressed that NMFS lacks funds and personnel to meet Council information needs, particularly in economic and sociological areas.
- o The Council indicated that close coordination with the States in the management process was a must and strongly urged that a State/Federal infrastructure be developed with a view to joint State/Federal action and the development of complementary regulations throughout the range of species under management.
- o The Council questioned the applicability of certain Federal laws and Executive Orders to the plan development process. Specifically, the Council felt that National Environmental Policy Act and E.O. 12044 were both redundant inasmuch as the ingredients of environmental impact analysis and regulatory analysis, along with public hearings, were adequately treated in the Act.
- o The Councils strongly recommended increased observer coverage with permit and observer fees to be covered into a special dedicated fund to support enforcement and observer programs.
- o The Council recommended a better definition of the terms "conservation", "overfishing", and "limited access" in the Act. These terms are open to wide interpretation and particularly cloud analysis related to the seven national standards.
- o The Council strongly urged that mandatory reporting be prescribed for all fisheries. At the present time an FMP must be in place before such a requirement can be laid on users of the resources. The rationale for amendment to the Act to require such mandatory reporting is that it will permit more meaningful and timely monitoring to determine the need for management in various fisheries. It will also assist better understanding of species interrelationships and ultimately make it possible for Councils to move toward total ecosystems management.
- o The Council pointed out the need for outside legal counsel in those instances where NOAA legal counsel is in a conflict of interest situation as a result of that agency's legal determinations and policy pronouncements. The Committee made it clear that the Councils had authority to hire outside legal counsel and this did not require the approval of NOAA/NMFS.



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### SOUTH ATLANTIC COUNCIL

#### MEETINGS

##### Council

Date and location	Brief description of subjects discussed	Open, closed, or partially closed
January 23-25, 1979 Charleston, SC	Coastal Migratory Pelagics (Mackerels) FMP decision elements. Secretary's Annual Report. Change in staff composition. MOL between Council and NOAA Office of Ocean Management.	open
February 27 - March 1, 1979 Jensen Beach, FL	Snapper-Grouper FMP decision elements. Coastal Migratory Pelagics (Mackerels) FMP decision elements. Swordfish FMP contractual arrangements.	open
March 27-29, 1979 Charleston, SC	FMP development format. Spiny Lobster FMP decision elements. Midyear budget review.	open
April 24-26, 1979 Savannah, GA	Approval of draft EIS/FMP Coastal Migratory Pelagics (Mackerels). Council boundary issues. Coral FMP contractual matters.	open



May 22-24, 1979 Charleston, SC	Consideration of foreign fishing permit applications. Amendment to FCMA. Council boundary issue. Spiny Lobster FMP approval. Approval of MOL between Council and Office of Ocean Management. Rock Shrimp FMP. Billfish FMP.	open
June 26-28, 1979 Greenville, NC	Approval of Council's Congressional Oversight Hearing material. Coastal Migratory Pelagic (Mackerels) FMP. Shark FMP.	open
August 28-30, 1979 Charleston, SC	Shark FMP. Election of officers. FY 80-82 budget approval. Mackerel Fall Out Study acceptance.	open
September 26-27, 1979 St. Simons Island, GA	Consideration of various pending pieces of legislation. Billfish FMP decision elements. Coastal Migratory Pelagics (Mackerels) FMP decision elements.	open
November 27-29, 1979 Islamorada, FL	Coral FMP decision elements. RFP for Social Science Assistance.	open
	<u>Scientific and Statistical Committee</u>	
February 21-22, 1979 Charleston, SC	Consideration of the Snapper-Grouper FMP.	open
May 17-18, 1979 Charleston, SC	Review Billfish FMP.	open
December 17-18, 1979 Charleston, SC	Review Billfish FMP. Review Mackerel Fall Out Study. Discussion of OY concept. Discussion of performance monitoring.	open
	<u>Advisory Panel</u>	
February 12-13, 1979 Tampa, FL	Spiny Lobster FMP.	open
February 20-21, 1979 Charleston, SC	Snapper-Grouper FMP.	open
March 29, 1979 Tampa, FL	Coral FMP.	open
May 16-17, 1979 Charleston, SC	Billfish FMP.	open
May 23, 1979 Charleston, SC	Coastal Migratory Pelagics FMP.	open
May 31, 1979 Tampa, FL	Coral FMP.	open
July 30, 1979 Atlanta, GA	Coral FMP.	open

Public Hearings

Date and location	Brief description of subjects discussed
June 19, 1979 Fort Pierce, FL	Coastal Migratory Pelagics (Mackerels) FMP - fact-finding meeting regarding specific provisions affecting Fort Pierce area.
December 10, 1979 Morehead City, NC	Gulf of Mexico Council Shrimp FMP.
December 10, 1979 Cocoa, FL	Gulf of Mexico Council Shrimp FMP.
December 11, 1979 Fort Fisher, NC	Gulf of Mexico Council Shrimp FMP.
December 11, 1979 Jacksonville, FL	Gulf of Mexico Council Shrimp FMP.
December 12, 1979 Darien, GA	Gulf of Mexico Council Shrimp FMP.
December 12, 1979 Charleston, SC	Gulf of Mexico Council Shrimp FMP.
December 13, 1979 Beaufort, SC	Gulf of Mexico Council Shrimp FMP.



## CARIBBEAN COUNCIL

### Major Accomplishments/Activities During CY 79

#### Introduction

The constituent "states" of the Caribbean Fishery Management Council (CFMC) are the Commonwealth of Puerto Rico and the Territory of the Virgin Islands. The Council consists of seven voting members, including NMFS Regional Director, and three nonvoting members.

The Council became fully operational by the end of fiscal year 1977. By that time, the Council had adopted its administrative structure, most of the staff had been selected and hired, and, in addition to its main office in San Juan, Puerto Rico, a suboffice had been opened in St. Thomas, to better serve the citizens of the U.S. Virgin Islands.

By the end of calendar year 1977, and Advisory Panel (AP) of 25 members and a Scientific and Statistical Committee (SSC) composed of 10 knowledgeable professionals were operational with the Council. Action had been initiated to increase SSC membership to 12 persons. The Council had adopted a priority listing of 12 management plans to be developed and had initiated action in the preparation of 3 plans: Spiny Lobster, Shallow-Water Reef Fishes, and Billfishes.

During calendar year 1978, the Council continued its efforts to develop a Draft Fishery Management Plan (FMP) for Spiny Lobster.

A size-frequency survey was started in both the Virgin Islands and Puerto Rico, in order to assess the actual situation of the resource and the economic impact of the proposed management measure to limit the harvesting of lobsters to those with a carapace length of 3.5 inches. The survey was based on 10 percent of monthly landings in 24 fishing communities in Puerto Rico and 9 localities in the Virgin Islands.

In addition, information was obtained from major users of lobsters in Puerto Rico and the Virgin Islands.

During the same year, efforts were continued toward the development of FMP's for Shallow-Water Reef Fishes and Atlantic Billfishes. The Council also decided to initiate the preliminary administrative work on the development of a FMP for two species of mollusks, the Queen Conch or "Carrucho" (*Strombus gigas*) and the West Indian Top Shell, Whelk, or "Burgao" (*Livonia pica*).

During 1978, Department of Commerce auditors performed an audit of costs incurred by the Council through September 1977, and of operations through May 12, 1978.

That same year, the Council decided to contract with a private company to undertake an information and educational program, addressed to the Council's constituency.

The Council made a complete revision of its SSC and AP membership and adopted written guidelines for recruitment of AP members.

After consultation with sportfishing interests in the area, the Council adopted a resolution to request from the Secretary of Commerce and the Secretary of Transportation, an amendment to Public Law 94-265, to allow the participation of foreign sportfishing vessels in sportfishing tournaments, without complying with all applicable requirements of the Act.

Public Law 94-265 has not been amended to that effect, but a forbearance scheme was adopted in 1978 to authorize the participation of foreign sportfishing vessels in international sportfishing tournaments to be held at the Council's area of jurisdiction.

The "Reciprocal Fisheries Agreement Between the Government of the United States and the Government of the United Kingdom" (as it refers to the British Virgin Islands) was ratified by Congress on June 1978. That same year, the Council voted unanimously to request that the Department of State negotiate an extension to the agreement, for a period of time as long as it could be negotiated.

#### Major Accomplishments, 1979

o During calendar year 1979, significant efforts were undertaken by the Council to advance the development of FMP's underway, as well as to initiate the development of additional plans. In the case of the Spiny Lobster FMP, substantial efforts were made to incorporate the philosophy of a "framework" FMP and to reduce the number of pages to an absolute minimum for a combined EIS/FMP document. To this end, a number of review and consultation meetings, with staff members of NMFS/Washington Office of Resource Conservation and Management, were held during the year. Thus, from an original "planning document" of 196 pages the FMP has been reduced to 30 pages, not including the EIS document.

This short document is eminently readable. It defines the need for a FMP, sets forth the objectives, and proposes regulatory measures which will achieve those objectives. Moreover, it makes provision for timely adjustments as the fishery changes and the need arises.

A 1-year size frequency survey of spiny lobster landings in 24 fishing communities in Puerto Rico was completed and tabulated during calendar year 1979. Also, it included information collected in the Virgin Islands during July 1978 (as a one-time effort). The survey provided basic information for the development of the draft plan. Authorization and funding are being sought from NMFS to continue the survey as a regular Council activity, since it will provide information needed for an adequate monitoring of the plan.

The plan was almost completed by the end of 1979. However, last minute difficulties related to the regulatory analysis and the EIS prevented the Council from submitting it to NMFS, NOAA, and DOC consideration before the public hearings process is initiated. The hearings are expected to be held early in 1980.



o Thorough consideration was given by the Council to the Draft FMP for Shallow-Water Reef Fishes. The first draft was completed in 1978. The SSC and AP, and the Council's Management Committee made valuable recommendations on the draft plan, which led to additional compilation of information and revision by the Task Team in charge of its development.

Among other actions taken in relation to this plan, the Southeast Fisheries Center (SEFC), NMFS, researched the adequacy of different materials that had been suggested for use in the self-destruct escape panels of fishing traps. According to the SEFC, "it would appear that the jute or sisal twine would be a desirable material since the twines are inexpensive, commonly available, and have a predictable durability".

A recommendation to adopt a management option in the plan to encourage the installation of artificial underwater habitats (artificial reefs) to attract, and possibly increase, the population of shallow-water reef fishes, was rejected by the Council. This position was adopted based on the conflicting information received on the adequacy of the method in the Caribbean, because of the limited resources, narrow shelf, and other particular circumstances. However, the Council requested from the Secretary of Commerce to take whatever action might be appropriate to see that research is carried out as it relates to the use of artificial reefs in the geographical area of responsibility of the Council.

A "planning document" of 205 pages of the best available scientific information on shallow-water reef fishes has been prepared by the Task Team, which was assembled and directed by the SEFC, NMFS. The Council has accepted this document in principle and directed the staff to undertake the drafting of a shorter "framework" FMP, similar to that prepared for the spiny lobster fishery.

It is anticipated that the FMP will be ready for public hearings during the first quarter of 1980.

o By the end of 1978, the Council staff received and analyzed responses to a Request for Proposal (RFP) for the development of a draft fishery management plan for migratory coastal pelagic fishes. During 1979, the staff made recommendations to the Council's FMP Development Committee which, in turn, made recommendations to the Council to select Centaur Associates, Inc., from Washington, D.C., to develop the mentioned management plan. The Council accepted the recommendations of the committee.

The agreement with Centaur to develop the plan was not formalized during 1979, because of unexpected technical difficulties. These had to do with funding problems, the possible deletion of two species of tuna from the plan and, more recently, the possibility of including certain species of billfishes in the plan.

By the end of 1979, negotiations with Centaur Associates, Inc., had been resumed for the signing of the contract agreement.

o The Council instructed the staff by the end of 1978, to put out an RFP for a "profile" of available

data for Strombus gigas (Queen Conch or carrucho) and Livonia pica (West Indian Top Shell; Whelk; burgao). The Council later decided to issue the RFP for a complete draft fishery management plan. However, as a result of Executive Order 12044, the RFP was tabled in order to hold scoping meetings for the plan.

o The Council adopted a resolution, after SSC recommendations, to retain two species of tuna, to wit, little tunny (Euthunnus alletteratus) and blackfin tuna (Thunnus atlanticus), in the listing of species composing the migratory coastal pelagics for which a fishery management plan will be developed.

Even if the Council recognizes that it is not legally empowered to regulate the tuna fisheries, it was felt that the collection of information on those two species while developing the draft plan will prove beneficial for all practical purposes.

The resolution calls for NMFS cooperation as follows:

1. That NMFS initiates a program, either through ICCAT or independently, to provide the information required on the migratory habits and status of the stocks (little tunny and blackfin tuna).
2. That the CFMC be permitted to make recommendations to NMFS, as inputs to U.S. position on the ICCAT forum, concerning tuna management needs in the CFMZ.
3. When NMFS implements the Western Central Atlantic Skipjack Tagging Program, that all blackfin tuna and little tunny captured also be tagged, and the results of this expanded activity be reported to the Council.

NMFS supported, in general terms, the Council's position and pledged its cooperation to achieve the Council's objectives.

o In compliance with NEPA, Department of Commerce, and Executive Order 12044 directives, scoping meetings were held in San Juan, Puerto Rico, and St. Thomas and St. Croix, U.S. Virgin Islands, to obtain comments and recommendations from the participants to assist the Council in the development of work plans in relation to Council's intention to prepare EIS/FMP's for the deep-water reef fishes and the mollusks species.

By the end of the year, the Council staff initiated the preparation of work plans which will then be considered by the Council and transmitted to NMFS for approval. Council may initiate the preparation of the respective FMP's after the work plans are reviewed by NMFS and NOAA, and the Council is officially notified of their approval (action memo).

o A decision was adopted by the Council at the August 16, 1979, meeting, to withdraw from the joint effort to prepare an EIS/FMP for Atlantic Billfishes. The decision was reiterated by the Council in two subsequent meetings. Fundamentally, the Council's position is based in the understanding that the draft plan fails to consider adequately the situation of the

Caribbean, where billfishes are not a marine recreational resource exclusively. On the contrary, the catches are utilized as a food item (commercial resource). Most of the Council representatives to the Billfish Steering and Technical Committees feel that the situation in the Caribbean is hampering the joint effort to develop a plan to manage billfishes strictly as a recreational resource.

Some concern has been also expressed as to the adequacy of managing these migratory species unless there is some kind of a joint effort between the Councils and international organizations.

The Council also decided to develop its own plan for billfishes. It is the Council's feeling that, even if the FMP for Atlantic Billfishes is adopted, the Department of Commerce's preliminary fishery management plan (PMP) will be in place for the Caribbean area until the Council's plan is developed and enforced.

Authorization was requested from the Assistant Administrator for Fisheries to withdraw from the joint effort to develop the plan. However, Southeast Regional Counsel, NOAA, expressed his feelings that Secretarial authorization is not needed.

o The Council adopted a motion to include bait fishes in the priority listing placed between mollusks and corals. Bait fishes will, thus, be the next species to be considered for FMP development.

o Mr. Héctor Vega-Morera and Mr. John A. Harms, Jr., were re-elected Chairman and Vice Chairman of the Council, respectively.

The following persons were appointed to the Council during the year:

Mr. Samuel Espinosa  
Espinosa Fishing, Inc.  
P.O. Box 877, Kingshill  
St. Croix, VI 00850

Dr. Francisco A. Pagán-Font, Executive Director  
Commonwealth of Puerto Rico  
Department of Natural Resources  
Corporation for the Development and  
Administration of the Marine, Lacustrine, and  
Fluvial Resources of Puerto Rico (CODREMAR)  
P.O. Box 2629, Old San Juan Station  
San Juan, PR 00903

Mr. Darlan Brin, Commissioner  
Government of the Virgin Islands of the  
United States  
Department of Conservation and Cultural Affairs  
P.O. Box 4340, Charlotte Amalie  
St. Thomas, VI 00801

Mr. Espinosa was appointed by the Secretary of Commerce to replace Mr. Anthony Chioromitaro, who had completed his term.

The Honorable Governor of Puerto Rico named Dr. Pagán-Font as the official responsible for the management of the Puerto Rican fisheries and the State representative at the Council.

The Honorable Governor of the Virgin Islands of the United States named Mr. Brin, Commissioner, DCCA, as the State representative at the Council. Mr. Brin appointed Dr. David Olsen, Fishery Management Specialist, DCCA, as his official designee at the Council.

The Chairman of the Council reappointed Mr. Donald S. Erdman from the Commercial Fisheries Laboratory, CODREMAR, Puerto Rico, and Mr. Robert Schultz, sport fisherman from St. Thomas, U.S. Virgin Islands, chairpersons of the SSC and the AP, respectively.

o The Council modified its committee structure as it relates to Council administrative, and FMP development and monitoring. The present setup of standing committees within the Council is the follows:

1. Administrative Committee
2. Grievance Committee
3. Education and Information Committee
4. The following FMP Development and Monitoring Committees:
  - a. Spiny Lobster
  - b. Shallow-Water Reef Fishes
  - c. Deep-Water Reef Fishes
  - d. Mollusks
  - e. Migratory Coastal Pelagics
  - f. Billfish
  - g. Bait Fishes

o The Council took the following actions in relation to Congressional matters:

1. The Chairman and the Executive Director presented testimony and recommendations, in two different occasions, during the Congressional Oversight Hearings on the Development of Fishery Management Plans Under the Fishery Conservation and Management Act of 1976 (PL 94-265).
2. Expressed opposition to HR 3852 (McCloskey Bill), which will bring tunas under the FCMA.
3. Expressed support for HR 4360 and 5077, to promote the development of an American fishing industry in certain underutilized species.

o The Caribbean Fishery Conservation Zone is truncated by the territorial seas of, at least, eight nations and by some of the world's deepest ocean bottoms. Biologically, it is entirely tropical and deals with a tropical insular fish fauna of great diversity and little biomass. Moreover, more than one hundred of its fish species have been implicated in outbreaks of ciguatoxic poisoning.

The CFMC feels that for effective management to take place in the Caribbean Conservation Zone, a continued and increased involvement with other Caribbean nations in fishery matters is necessary. Because all are probably utilizing the same stocks, these stocks eventually will require a common regional management.



During the year, the Council tried to keep informed on developments in this area and participate as much as possible in related events. Among other actions, the Council took steps toward finding out if the Commonwealth of Puerto Rico and the Territory of the Virgin Islands, because of their political status, could participate and receive some benefits from IOCARIBE and WECAF projects.

In addition, the Council considered NMFS-proposed International Fisheries Program for the Western Central Atlantic, the Caribbean, and the Gulf of Mexico. The goal of the program would be to optimize United States' interest in fisheries, commerce, and management with Western Central Atlantic and the Caribbean countries.

The Council has voiced its opinion that efforts should be undertaken at top management levels to develop a mechanism that will bring together all the Caribbean nations in a joint, complementary effort toward the common management of the fishery resources.

o The situation of negotiations with foreign nations in the Caribbean with impact on the Council's area of jurisdiction was an item of major concern for the Council during the year. Reports were received frequently as to the status of these negotiations from the Department of State representatives at the Council.

Very little, or no progress at all, was achieved during the year regarding negotiations underway, as well as new negotiations. The most critical issue at the present time are the negotiations with the Dominican Republic which seems to be in a complete stall since 1978. A summary of the situation by the end of the year in the various areas is as follows:

#### United States-United Kingdom Treaty (British Virgin Islands Boundaries):

The Treaty was modified to provide for continuation. It provides for consultation if the level of commercial fishing of the nations involved increases in the future.

#### Saba Island (Saba Bank):

The Netherlands are interested in negotiating maritime boundaries. Such negotiations will have some effect in the case of Saba Island (Saba Bank). The Bank is presently one of the preferred fishing areas for fishermen from both Puerto Rico and the Virgin Islands.

#### Venezuela:

Venezuela has requested to enter into a GIFA with the United States. The Department of State has informed Venezuela that present stocks are fully utilized, but the United States are prepared to consider possible reciprocal fishing agreements in the future with Venezuela, in the event surplus stocks may be available to United States fishermen off Venezuela.

The United States recognized jurisdiction of Venezuela off Aves Island. This might impact on boundary determinations in the Saba Bank, as the Venezuelan jurisdiction will interface with the Netherlands and the United States jurisdictions.

#### Jamaica and Haiti:

The Department of State has received requests from Jamaica and Haiti to negotiate a GIFA. The areas involved are the Gulf of Mexico and, possibly, the Atlantic. In the case of Haiti, negotiations may be somewhat more complicated because of the Navassa Island issue. Both the United States and Haiti claim jurisdiction over Navassa.

#### Dominican Republic:

The Department of State is still waiting to hear from the Dominican Republic in order to resume negotiations. The expectations that negotiations could be resumed after the elections period was over have not materialized.

The Department of State requested an opinion from the Government of Puerto Rico on some areas that could help to develop the terms of the agreement, especially those related to the determination of the equidistant marine boundaries.

Puerto Rican fishermen have traditionally operated in waters off the eastern coast of the Dominican Republic, especially the Cabo Engano area. The fact that they cannot fish undisturbed in said waters is affecting the livelihood of some of the fishermen. Others have moved their operations to waters east of the Virgin Islands, especially the Saba Bank and Anegada Passage.

o At its September 18-19, 1979, meeting, the Council received an unofficial report in the sense that the Department of Transportation (U.S. Coast Guard) was in the process of phasing out the Loran A system, which has served the navigational and fisheries interests of the Caribbean area for many years. According to the same report, no provisions have been taken to make available the most modern system of Loran C to users in the Caribbean.

The Council brought the issue to the attention of The Honorable Neil Goldschmidt, Secretary of Transportation. The Council expressed to Mr. Goldschmidt its feelings that all efforts should be made to provide a navigational system like the Loran C to actual and potential users in the area. Besides the use that local commercial and sport fishermen can give to the system, it will enhance Coast Guard search and rescue activities and will provide precise navigational assistance to the many oil tankers and tourist cruise boats that transit the Caribbean area. The system will also be useful in the reporting and verification of fixed gear locations.

The Council was informed that the Secretary had directed the Coast Guard to continue efforts to resolve issues concerning Loran C and other aids to navigation in the Eastern Caribbean. To this end, the Coast Guard has begun a coast-benefit analysis which addresses several alternatives to specific circumstances and conditions which are applicable to maritime navigation in the Council's area of jurisdiction. Results from the analysis are expected during 1980.

o At the 25th regular meeting of the Caribbean Council, a motion was adopted to convey to the Assistant Administrator for Fisheries, NMFS/NOAA, the Council's strong support for the conch mariculture research program that is being contemplated by the Southeast Fisheries Center, NMFS, for FY 1980. The objective is to develop improved techniques for the mass culture of conch larvae to the juvenile stage and seeding the conch growing areas with these juveniles to increase the resource. The system has proved feasible in a laboratory scale.

Conch (*Strombus gigas*) is an excellent source of food in many tropical and subtropical countries. Because of the steady increase in demand, it is subject to heavy exploitation to the extreme that it has been overfished in certain areas. Thus, conch mariculture research is a deeply felt necessity.

The Council encouraged NMFS to provide the necessary funding to the Southeast Fisheries Center, so that they can be able to carry out the research project, with the necessary duration and completeness, where all alternatives and possibilities are considered.

o In attention to the Auditor's Report regarding Council's Operating Procedures, the Council adopted several administrative measures in line with the auditor's recommendations.

The accounting system which was one of the weak areas pointed by the auditors, was changed to a manual system and is working to the entire satisfaction of the Council.

o The Council was authorized to increase its staff to eight persons. The new position is that of Accounting Technician.

o A 1-day seminar on parliamentary procedures based on Robert's Rules of Order was conducted by the Council for the benefit of Council, SSC, AP, and staff members.

o The Council considered, in two different occasions, invitations from the Conditional Fisheries Committee, NMFS, to nominate fisheries for the "conditional fisheries status". The Council's consistent decision was that none of our fisheries should be nominated.

o The Council staff participated, along with staff members of the South Atlantic and Gulf of Mexico Fishery Management Councils, in a meeting in which the Southeast Regional Office, NMFS, presented their views on the establishment of a unit to review and monitor the implementation of FMP's. The proposal contemplated the Councils and NMFS to join efforts in the monitoring function. There was common understanding as to the need of a joint monitoring effort, however, there was discrepancy as to the functional structure of such a unit and its physical location.

o After the pertinent analysis of costs of Council meetings at different locations, the Council adopted as a policy to hold most of its regular meetings in San Juan, Puerto Rico. The costs of holding meetings in San Juan are significantly lower than at other locations. However, the Council will keep the

necessary flexibility to hold meetings at other localities within the area of jurisdiction in consideration of the constituency.

o The Council supported the Chairman's administrative policy on travel to meetings other than Council meetings. The Council preferred to stay away from the mechanism adopted by some Councils of authorizing travel to meetings that are not strictly necessary from the Council's point of view, reimbursing the expenses but not compensation. The Council's policy consists of a very careful selectivity of meetings to which official travel is authorized and members are compensated in full, in accordance with established guidelines.

o During 1979, the Council held four meetings with fishermen from Puerto Rico and the Virgin Islands, other than hearings, scoping, and regular Council meetings. The main purpose of the meetings was to interact with these fishermen in order to become familiar with their problems and to convey to them the Council's organization, work plans, and objectives.

o The Council kept informed of developments regarding the proposed marine sanctuary to be established off St. Thomas, U.S. Virgin Islands.

o The Council reaffirmed its previous recommendation that the FCMA be amended to increase its voting membership from seven to nine persons. Justification to state this position is being prepared.

o In attention to a request for participation from the Puerto Rico Department of Natural Resources, the Council designated Mr. Héctor M. Vega as its representative to the Advisory Committee of the Puerto Rico Coastal Zone Management Program.

o Authority was delegated to the Finance Committee (now Administrative Committee) with respect to the Pension (retirement) plan for the Council staff. This Committee has now the responsibility to provide staff members with the opportunity to be heard with respect to any aspect of the Council's Money Purchase Pension Plan.

o Hurricanes David and Frederick affected seriously the fisheries of the Virgin Islands and Puerto Rico. The Council expressed concern on the situation to the Secretary of Commerce and NMFS and recommended that emergency funds be appropriate to alleviate the hardships faced by the fishermen as a result of these disasters.

o The Council submitted to the Assistant Administrator for Fisheries a detailed analysis, points of views, and recommendations on the proposed rule-making to implement Section 10 of the "Fishermen's Protective Act of 1967, as amended by PL 95-376".

o The Council delegated authority to the Executive Director to act for the Council on most cases of applications for foreign fishing vessels to fish within the FCZ, in accordance with NMFS proposal.

o The Council provided inputs to the SEFC, NMFS, in relation to the listing of topic areas from which they will prepare specific proposals for socioeconomic



studies to be carried out with FY 1980 funds, which are set aside for this purpose by the NMFS Headquarters.

o The Council staff suggested to the Office of Resource Conservation and Management, NMFS, to examine if the objectives of Executive Order 12044 are being met by holding scoping meetings before the draft plans have been developed, and the proposed regulations and alternatives to it are available for consideration. NMFS reiterate their position on the issue, that is, that the operational procedures are in accordance with Executive Order 12044.

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### CARIBBEAN COUNCIL

#### MEETINGS

##### Council

Date and location	Brief description of subjects discussed	Open, closed, or partially closed
February 22, 1979 San Juan, PR	Status reports on Spiny Lobster and Shallow-Water Reef Fishes FMP's; consideration of an RFP for the collection of the biological and socio-economic data available on the mollusk fisheries; final selection and award process for a contract to develop a draft FMP for Coastal Migratory Pelagics; administrative matters.	Partially closed 5 U.S.C. 552 (b)(4)
April 11, 1979 St. Thomas, VI	Preliminary EIS and management options for the Shallow-Water Reef Fish FMP; amendments to draft FMP for Spiny Lobsters; status reports on Migratory Coastal Pelagics, Mollusks, and Billfishes FMP's; alternatives for development of new FMP's; administrative matters.	open
June 13, 1979 San Juan, PR	Discussion of relevant issues with respect to the Spiny Lobster FMP prior to its submission to the Secretary; status reports on other FMP's under development; consideration of HR 3852, to amend FCMA of 1976; legal and biological opinions on highly migratory species; administrative matters.	open
August 17, 1979 St. Thomas, VI	Election of a Chairman and a Vice-Chairman; final working draft FMP for Shallow-Water Reef Fishes; recommendations of SSC to the Council regarding the inclusion of blackfin tuna and little tunny in FMP for Coastal Migratory Pelagic Fishes; status report on FMP development; vacancies in SSC and AP; other Council business.	open

September 18-19, 1979 St. Croix, VI	Status reports on FMP development and related matters; biological and socioeconomic research needs in the Council's area of jurisdiction; NMFS-proposed guidelines for OY determination; development of a new FMP for Deep-Water Reef Fishes; administrative matters.	open
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November 28-29, 1979 Lajas, PR	Final draft EIS/FMP, Regulatory Analysis, and draft proposed regulations for the Spiny Lobster Fishery; second working draft for Shallow-Water Reef Fish FMP; situation of boundary limits and fishing negotiations; priority listing for new FMP development; administrative matters.	open
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Scientific and Statistical Committee

April 9, 1979 San Juan, PR	Consideration of management options of the Shallow-Water Reef Fish FMP; other SSC business.	open
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June 5-6, 1979 St. Thomas, VI	Consideration of the biological and socioeconomic aspects of including blackfin tuna and little tunny in the draft FMP for Coastal Migratory Pelagic Fishes; other SSC business.	open
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September 17-18, 1979 St. Croix, VI	Second working draft FMP for Shallow-Water Reef Fishes; development of a new FMP for Deep-Water Reef Fishes; proposed guidelines for OY determination; biological and socioeconomic research needs in the Council's area of jurisdiction.	open
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November 27-28, 1979 Lajas, PR	Revision of comments and suggestions made on September meeting regarding second working draft FMP for Shallow-Water Reef Fishes; consideration of EIS/FMP, Regulatory Analysis, and draft proposed regulations for Spiny Lobster fishery; consideration of additional listing of species suggested by the SEFC/NMFS to be included on the list of deep-water reef fishes already adopted by the Council for FMP development; recommendations for public hearings process for Spiny Lobster FMP.	open
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Advisory Panel (AP)

September 17-18, 1979 St. Croix, VI	Second working draft FMP for Shallow-Water Reef Fishes; development of a new FMP for Deep-Water Reef Fishes; proposed guidelines for OY determination; other AP business.	open
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November 27-28, 1979 Lajas, PR	Second working draft FMP for Shallow-Water Reef Fishes; consideration for EIS/FMP, Regulatory Analysis, and proposed regulations for the Spiny Lobster Fishery; consideration of additional listing of species suggested by the SEFC/NMFS to be included in the list of deep-water reef fishes already adopted by the Council for FMP development; Recommendations for the public hearings process for the Spiny Lobster FMP.	open
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Discussion Summary  
Closed and Partially Closed Sessions

Date and location	Council, SSC, or AP	Summary of discussion
February 22, 1979 San Juan, PR	Council (Partially Closed)	The Council discussed for final selection and award process of contract to develop a draft FMP for coastal migratory pelagics fishes.





## GULF OF MEXICO COUNCIL

### Part I

#### SIGNIFICANT ACTIVITIES RELATED TO MANAGEMENT

During 1979 the Gulf of Mexico Fishery Management Council completed FMP's for shrimp, reef fish, coastal migratory pelagics, spiny lobster, groundfish, and sharks. Public hearings will be held on these and a management plan for corals during 1979-80.

The Reef Fish FMP is cited here as an example of FMP development and the problems encountered. The Reef Fish DEIS/FMP was completed in January of 1979 and was submitted to public review in hearings held in May. Because of the public and Federal comments and additional information on the draft plan, the management regime was modified to include major changes in the proposed management measures. The Council elected to submit the revised document to further public review which will be scheduled in 1980.

The plan and fishery are as summarized below.

The reef fish fishery in the Gulf of Mexico is directed primarily at groupers and snappers. Sea bass and other species are occasionally targeted, but usually are taken incidentally to snapper and grouper. The fishery is important to both recreational and commercial fishermen. Total commercial landings are approximately 17.5 million pounds per year, while estimated recreational landings are approximately 23.1 million pounds per year. In the Gulf, reef fish are second only to shrimp in value.

The objectives of the FMP are:

- (1) To rebuild the declining reef fish stocks wherever they occur within the fishery,
- (2) To establish a fishery reporting system for monitoring the reef fish fishery,
- (3) To conserve reef fish habitats and increase habitat for reef fish in appropriate areas

and provide protection for juveniles, while protecting existing and new habitats, and

- (4) To minimize conflicts between user groups of the resources and conflicts for space.

The major problems affecting this fishery are caused by excessive effort in some inshore areas, particularly on red snapper, and the rapidly developing trap fishing effort in south Florida. Excessive effort has resulted in overfishing of red snapper in some areas. The use of fish traps has created great social and economic conflicts and may have contributed to excess catch and effort in shore areas. Lack of good data on total catch, effort, and the biological impact of fish traps has made it difficult for the Council to assess the degree of regulation needed for this fishery.

Management measures designed to deal with these problems include a size limit for red snapper; framework measures which can be used in the future to establish further size limits or bag limits, if necessary; restrictions on the size, number and construction of fish traps; and designation of certain inshore waters as "stressed areas" where fishing effort is already intense and some further restrictions are necessary in order to control fishing effort. Use of fish traps, roller trawls, and explosive spear points (power heads) is prohibited in the stressed area. The size limit proposed for red snapper will have much more effect in relieving overfishing in the stressed area, because smaller fish tend to be found inshore.

Increased data reporting requirements for all users will result in improved estimates of total catch and effort. Fish trap operators will be subject to particularly strict reporting requirements. Research on the impact of traps is being strongly encouraged.

The Council considers this plan as an adequate beginning for proper regulation of the fishery. Reporting requirements in the plan will provide more and better data to judge the state of the fishery and the need for any further management. Restrictive measures in the plan are expected to have a positive impact on the red snapper stocks and prevent excessive harvest of inshore populations of other reef fish, while allowing expansion of effort offshore where some populations are not fully utilized.

## Part II

### EFFORTS TO FOLLOW UP ON DOC REPORTS

In 1978 the Department of Commerce (DOC) performed an audit on the administration of grants to the Councils. The audit revealed problems that to a large extent were due to the new and unique nature of the Councils. While most of the audit exceptions were addressed to the need to improve the broad and general administration of Council grants, the DOC criticisms made of this Council's grant administration were largely on the need to conform with NOAA policies that were still to be formalized. Other exceptions listed were either withdrawn or corrected immediately, except for the following which are in the below-described stage of response:

#### AUDIT RECOMMENDATION

Incorporate all travel policies into the Statement of Organization, Practices, and Procedures (SOPP's).

Develop an accounting manual.

Obtain a determination from NOAA as to the propriety of redelegating authority to approve travel by the Administrative Officer and, if appropriate, have the Final Regulations clarified.

Conform the Council SOPP's regarding annual leave with the Final Regulations or take action to have the Final Regulations modified.

#### ACTION TAKEN

Publication in the SOPP's of current Council travel policies for comparison with and conformance to the revised FCMA Operations Handbook when received (due in January 1980).

Accounting manual has been prepared for internal Council use. Publication of manual in the Council SOPP's will be made upon comparison of its contents with the revised FCMA Operations Handbook when received.

Council has requested NOAA to amend the Final Regulations to redelegate the authority to approve travel below the level of the Executive Director.

Council has requested NOAA to amend the Final Regulations to provide annual leave to Council staff employees as offered in the Federal Service.

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### EFFORTS TO FOLLOW UP ON GAO REPORTS

At the request of the Committee on Merchant Marine Fisheries, the General Accounting Office (GAO) conducted a study in 1978 on the implementation concepts delineated in Public Law 94-265. The GAO study reported on progress made and problems encountered by the Fishery Management Councils. It also looked into selected fisheries of the Councils, including the shrimp fishery in the Gulf of Mexico.

Some of the problems of the Councils which were identified in the GAO report included the need for a more adequate data base to effectively manage fisheries, to successfully publicize meetings on fishery management plans, and to speed up the FMP development process.

The Gulf of Mexico Fishery Management Council has identified to National Marine Fisheries Service its data requirements and has urged increases in their budget line items to provide the required research related to management.

In order to reach latent input into Council efforts on the development of fishery management plans, the Council's Public Information Committee is implementing a professional public relations program which will touch the interested constituencies for increased participation.

The Council engages in continued dialog with NOAA/NMFS on ways to reduce required time constraints placed on the FMP and its components as they move through the development process.

### EFFORTS TO ENCOURAGE PUBLIC PARTICIPATION

The Gulf Council held public hearings during 1979 on the following plans:

<u>Plan</u>	<u>Number Hearings</u>	<u>Total Attendance</u>	<u>Average Attendance</u>
Reef Fish	15	502	33.5
Shrimp	14	659	47.1

The Council has attempted to encourage public participation through the following actions:

1. Distribution of news releases on Council activities to approximately 300 news media entities.
2. Distribution of a newsletter describing Council actions to approximately 650 interested persons and organizations.
3. Distribution of three or more separate news releases on public hearings starting at least a month in advance of hearings.

4. Use of the Sea Grant marine advisory agent news release system for publicizing hearings.
5. Occasional use of public service announcements via TV for publicizing hearings.
6. Distribution of 3,000 or more summaries of the DEIS/FMP.
7. Make FMP's available upon request and available for review through Sea Grant, State conservation agencies, and NMFS.
8. Formation of a Council Public Information Committee to develop improved public contact and awareness.
9. Development and submission of a Request for Proposal (RFP) for professional services of a part-time I&E (information and education) specialist to assist Council in improving public awareness.
10. Rotation of Council meetings to principal seaport cities along the Gulf to allow public participation.

#### COMPLETED CONTRACTS

During calendar year 1979 the Gulf of Mexico Fishery Management Council concluded work on the development of several fishery management plans. Costs of the accomplished work were as follows:

	<u>CONTRACTOR</u>	<u>CONTRACT PERIOD</u>	<u>AMOUNT</u>
<u>SHRIMP</u>	Louisiana State University Printing	11/1/77 - 4/30/79	\$212,182 <u>12,595</u> \$224,777
<u>REEF FISHES</u>	Florida Sea Grant College Draft EIA and EIS Plan Revision Printing	11/1/77 - 3/13/79	\$123,875 4,925 4,435 <u>4,882</u> \$138,117
<u>COASTAL MIGRATORY PELAGIC FISH</u> (Developed jointly with South Atlantic Council)	Centaur Associates, Inc. Preparation of Regulatory Analysis Mackerel Tagging Program Length-Frequency Study Printing	3/1/78 - 5/31/79	\$ 97,410 6,760  2,500 939 <u>630</u> \$108,239
<u>SPINY LOBSTER</u>	Centaur Associates, Inc. Preparation of Regulatory Analysis Printing	8/1/78 - 6/30/79	\$ 98,313 6,760  <u>1,250</u> \$106,323
<u>SHARKS</u>	Environmental Science & Engineering, Inc.	6/19/78 - 10/31/79	\$ 89,571
<u>GROUND FISH</u>	FMP developed jointly with National Marine Fisheries Service		\$ 14,110

Public hearings on the various management units will continue into 1980 and will result in updating or completion of current anticipated publications.



## COUNCIL NONROUTINE INTERACTIONS

### Congressional

Council request for amendment of FCMA for inclusion of tuna.

Letter from Breaux/Forsythe requesting information from Council.

Letter from Breaux/Forsythe announcing oversight hearing on FCMA.

Council testimony before Breaux Committee.

Council testimony before Breaux Committee.

Breaux letter on tuna exemption.

Letter from Breaux/Forsythe announcing oversight hearings on FMCA.

Council support of D-J Amendment.

Council letter regarding Mexican oil spill.

Breaux reply to Log No. 757 (Council support of D-J Amendment).

Council testimony before Breaux Committee.

Council letter to Slack supporting increased funding for NMFS under FCMA.

### State

Council request to State of Florida for implementation of stone crab line.

Reply from State of Florida on stone crab line.

Letter to State CZM agencies.

### Other Federal Agencies

Request for buoying of stone crab line.

Letter to COE regarding Colorado River Project.

Memorandum of Understanding with OCZM.

Letter to OCZM regarding DEIS on Flower Garden Banks Sanctuary.

Letter to State Department on International Convention on Migratory Species.

Letter to CEQ regarding Colorado River Project.

Letter to EPA regarding Colorado River Project.

Letter to DOE regarding Galveston Port Project.

Letter to State Department regarding International Convention on Migratory Species.

Letter from State Department regarding International Convention on Migratory Species.

Letter to OCZM regarding proposed regulations for Key Largo Sanctuary.

Letter to COE regarding Marco Island Project.

## PUBLIC LAW 95-354 AND ITS AFFECT ON FMP'S

All the plans under development were modified to incorporate the required data expressing processing capacity and expected annual processing utilization. However, as the possibility of foreign fishing and the apparent possibility of joint ventures appeared unlikely for most fisheries, only the groundfish plan provided for joint ventures and for this plan only as it might relate to groundfish discarded by domestic fishermen.

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GULF OF MEXICO

MEETINGS

Council

Date and location	Brief description of subjects discussed	Open, closed, or partially closed
January 9-13, 1979 Tampa, FL	Amended SOPP's regarding public comments at Council meetings, decided that no action would be taken on four Japanese fishing permits, final review and acceptance of Reef Fish FMP, and review of Mackerel and Shrimp FMP's.	open
February 7-8, 1979 New Orleans, LA	Reviewed Mackerel and Shrimp FMP's. Urged South Atlantic Council to proceed rapidly in development of Billfish FMP, agreed to implement emergency regulations in Stone Crab FMP.	open

March 6-7, 1979 Houston, TX	Agreed to forward records to South Atlantic Council documenting Gulf reasons for modification of Billfish FMP to preclude hooking of billfish by Japanese vessels. Reviewed Spiny Lobster FMP, developed policies for habitat protection and project reviews, and adopted a policy on public testimony.	open
April 3-5, 1979 Biloxi, MS	Adopted the Shrimp FMP, reviewed Mackerel and Spiny Lobster FMP's, recommended limiting the number of Japanese vessels in the Gulf and selected members for the Advisory Panel and Scientific and Statistical Committee.	open
May 1-2, 1979 Tampa, FL	Reviewed Groundfish FMP and approved the Mackerel FMP. Adopted a Memorandum of Understanding with Office of Coastal Zone Management and were advised that the Dade/Monroe boundary would remain between this and the South Atlantic Council.	open
June 5-7, 1979 New Orleans, LA	Discussed billfish bycatch and measures for its reduction with members of the Japanese fishing industry. Review of the Groundfish and Shark FMP's. Adopted the DEIS/FMP for spiny lobster, discussed two environmental projects, selected sites for shrimp and mackerel public hearings, and decided that a member of the Scientific and Statistical Committee should attend management meetings.	open
July 10-12, 1979 Key West, FL	Reviewed changes to the Reef Fish FMP based on public comments, amended SOPP's regarding annual leave and travel authorization approval. Extended the coral and shark contracts, reviewed the Shark, Groundfish, and Mackerel FMP's. Adopted a policy for authorized travel, identified tropical reef fish and squid for plan development, and a decision was reached to employ a part-time public information consultant.	open
August 7-9, 1979 Corpus Christi, TX	Reviewed the Groundfish, Shark, and Reef Fish FMP's, discussed a monitoring system, supported development of Phase I of the purse seine evaluation, adopted the 1980 budget, and modified the retirement plan.	open
September 4-6, 1979 New Orleans, LA	Reviewed Mackerel, Groundfish, and Shrimp FMP's. Selected shark hearing sites, developed criteria for selection of environmental projects for Council consideration, discussed research priorities, and elected Chairman and Vice Chairman.	open
October 1-3, 1979 Galveston, TX	Restructured Council committees and appointed new members. Final approval of Shrimp and Shark DEIS/FMP's. Reviewed coastal herring profile, Spiny Lobster, Reef Fish, and Mackerel FMP's, and selected hearing sites for shrimp. Discussed NMFS funding requirements.	open
November 7-9, 1979 Miami, FL	Reviewed Coral and Reef Fish FMP's, revised travel allowances, and reviewed a tentative agreement for an I&E position.	open
December 4-6, 1979 Mobile, AL	Selected research priorities, agreed to write Congressman Slack supporting NMFS funding requirements, discussed policy on confidentiality of statistics, and reviewed Reef Fish and Billfish FMP's.	open



Scientific and Statistical Committee

February 1-2, 1979	Review of Spiny Lobster FMP.	open
May 16-18, 1979	Review of Shark and Billfish FMP's.	open
July 31, 1979	Review of Coral FMP.	open
November 1-2, 1979	Review of Reef Fish FMP and research priorities for all FMP's.	open

Advisory Panel

February 12-13, 1979	Review of Spiny Lobster FMP.	open
February 21, 1979	Review of Groundfish FMP.	open
March 19, 1979	Review of Shark FMP.	open
March 22, 1979	Review of Reef Fish FMP.	open
March 29, 1979	Review of Coral FMP.	open
May 14, 1979	Review of Billfish FMP.	open
May 15, 1979	Review of Shark FMP.	open
May 31, 1979	Review of Coral FMP.	open
July 30, 1979	Review of Coral FMP.	open
September 27, 1979	Review of Reef Fish FMP.	open
November 20, 1979	Review of Billfish FMP.	open

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PUBLIC HEARINGS

Date & location	Brief description of subjects discussed
May 7, 1979, Carrabelle, FL	Reef Fish DEIS/FMP.
May 7, 1979, Lake Charles, LA	Reef Fish DEIS/FMP.
May 8, 1979, New Orleans, LA	Reef Fish DEIS/FMP.
May 9, 1979, Tavernier, FL	Reef Fish DEIS/FMP.
May 9, 1979, Houma, LA	Reef Fish DEIS/FMP.
May 10, 1979, Key West, FL	Reef Fish DEIS/FMP.
May 21, 1979, Biloxi, MS	Reef Fish DEIS/FMP.
May 21, 1979, Port Isabel, TX	Reef Fish DEIS/FMP.
May 22, 1979, Mobile, AL	Reef Fish DEIS/FMP.
May 22, 1979, Port Aransas, TX	Reef Fish DEIS/FMP.
May 23, 1979, Pensacola, FL	Reef Fish DEIS/FMP.
May 23, 1979, Freeport, FL	Reef Fish DEIS/FMP.
May 24, 1979, Panama City, FL	Reef Fish DEIS/FMP.

May 24, 1979, Port Arthur, TX	Reef Fish DEIS/FMP.
May 30, 1979, St. Petersburg, FL	Reef Fish DEIS/FMP.
July 3, 1979, Key West, FL	Reef Fish DEIS/FMP.
November 26, 1979, Brownsville, TX	Shrimp DEIS/FMP.
November 26, 1979, Cameron, LA	Shrimp DEIS/FMP.
November 27, 1979, Corpus Christi, TX	Shrimp DEIS/FMP.
November 27, 1979, Delcambre, LA	Shrimp DEIS/FMP.
November 28, 1979, Freeport, TX	Shrimp DEIS/FMP.
November 28, 1979, Houma, LA	Shrimp DEIS/FMP.
November 29, 1979, New Orleans, LA	Shrimp DEIS/FMP.
December 4, 1979, Foley, AL	Shrimp DEIS/FMP.
December 4, 1979, Bayou La Batre, AL	Shrimp DEIS/FMP.
December 5, 1979, Biloxi, MS	Shrimp DEIS/FMP.
December 10, 1979, Panama City, FL	Shrimp DEIS/FMP.
December 10, 1979, Cocoa, FL	Shrimp DEIS/FMP.
December 10, 1979, Morehead City, NC	Shrimp DEIS/FMP.
December 11, 1979, Tampa, FL	Shrimp DEIS/FMP.
December 11, 1979, Jacksonville, FL	Shrimp DEIS/FMP.
December 11, 1979, Wilmington, NC	Shrimp DEIS/FMP.
December 12, 1979, Fort Myers, FL	Shrimp DEIS/FMP.
December 12, 1979, Darien, GA	Shrimp DEIS/FMP.
December 12, 1979, Charleston, SC	Shrimp DEIS/FMP.
December 13, 1979, Key West, FL	Shrimp DEIS/FMP.
December 13, 1979, Beaufort SC	Shrimp DEIS/FMP.



## PACIFIC COUNCIL

### SUMMARY

#### FISHERY MANAGEMENT PLAN DEVELOPMENT -

The Pacific Fishery Management Council worked on development of eight plans and three plan amendments during the year. Two plan amendments were implemented—one regulating the ocean salmon fishery, and the other the anchovy fishery. Development of a Dungeness crab management plan was suspended by the Council.

Anchovy - The Final Fishery Management Plan (FMP) for Northern Anchovy was amended early in 1979 to comply with the additional requirements of the "processor preference amendment" to the FCMA. Another FMP amendment, which would reallocate the reduction fishery quota late in each season to provide fishermen with a greater opportunity to harvest the entire optimum yield, was subjected to public review in December and approved by the Council in January 1980. It is expected to be implemented before the 1980-81 season.

Billfish - Work on a billfish plan was briefly suspended pending a California Supreme Court determination of the State's authority to regulate a fishery to 200 miles off its coast in the absence of an approved Federal fishery management plan. The Plan Development Team has resumed development of a draft but, should the court rule that the State has such authority, the Council will not develop an FMP. On the other hand, if the court rules that California cannot regulate fisheries beyond State waters, the Council will complete development of a plan for Pacific coast billfish only. In either case, the Western Pacific Council will proceed with the development of a management plan for billfish in its area of jurisdiction.

Dungeness Crab - Work on the Dungeness crab management plan has been halted until or unless a need for Council management of this fishery becomes evident. The fishery is being managed by the States very well, the resource is predominately harvested within State waters, and the three coastal States have made great progress toward coordinated management.

Groundfish - Because of the complexity of managing a multispecies fishery, the Council has reviewed six drafts of a groundfish management plan. The latest draft was subjected to public hearings in mid-December. It is anticipated that the Council will approve a draft for submission to the Secretary of Commerce during its April meeting, and that the plan will be implemented early in 1981.

The "processor preference" or "joint venture" amendment to the FCMA required that Councils assess processing capability and intent as well as harvesting capability and intent in the drafting of FMP's. On the Pacific coast, this requirement is expected to have a significant effect only in the Pacific whiting fishery, which is addressed in the groundfish plan. The plan makes provisions to assess annually the processing and harvesting intent through the use of surveys.

Jack Mackerel - A draft Jack Mackerel FMP underwent public review beginning in November. Further Council action on this plan is expected in April 1980.

Pacific Herring - In December, a "scoping" session for development of a Pacific Herring FMP/EIS was held pursuant to the final regulations implementing the National Environmental Policy Act. This scoping process was the first step toward preparation of a draft for Council review in July 1980.

Salmon - Management of the ocean salmon fishery, the most economically valuable resource within the Council's jurisdiction, was again a major consideration of the Council in 1979. The fishery suffered from the low status of stocks, particularly coho salmon, and in-season management changes ordered by the Federal courts to assure proper sharing of the harvest with treaty Indian tribes.

The value of commercial ocean salmon landings in Washington, Oregon, and California in 1979 is estimated at \$50 million. The exact value of the recreational salmon fishery has not been compiled.

The life history of salmon extends to both fresh- and saltwater, complicating the Council's management responsibility under the FCMA. Although the Council's jurisdiction is confined to the ocean fishery from 3 to 200 miles, the Council must be concerned with the protection and production of salmon in its freshwater phase, which is primarily managed by State agencies. The responsibility of the Council and the Federal Government as stated by the U.S. Supreme Court (July 1979) includes assurances of adequate escapement from the ocean fisheries to supply the tribal Indian entitlement from treaties, as well as spawning requirements for conservation. The Indian entitlement amounts to an opportunity to take 50% of the salmon stocks that would be available at their usual and accustomed fishing grounds. This sharing formula includes consideration of non-Indian take wherever there is a fishery on these stocks, in the ocean as well as in the river.

The 1979 plan amendment went through a public review process from mid December 1978 until the end of February 1979. In December 1978, it was anticipated that the same seasons as were in effect in 1978 would continue in 1979. Data were inadequate at the time to make a complete assessment and forecast. Subsequently, it became evident that the salmon stocks were low and additional restrictions would be needed. The public review period was extended and a second set of hearings was held to give an opportunity for analysis of six troll options and five recreational options for 1979 management.

During its March 1979 meeting, the Council selected management proposals that greatly reduced both the commercial and recreational seasons and also reduced the recreational bag limit. The Secretary's review of the draft amendment included a special non-oral hearing and the appointment of a panel of experts to study the Council's recommendations. The plan was approved by the Secretary, and regulations were promulgated prior to the beginning of the 1979 season.



In late June, the Columbia River treaty Indian tribes appealed to the Federal Court for an emergency closure of the ocean fishery to assure sufficient escapement of Columbia River fall chinook to meet the needs of the Indian fishery and natural production in the basin. The Court hearings were prolonged by the disqualification of one judge and oral hearings before two others. The Secretary was represented by the U.S. Department of Justice, which maintained that the Council's regulations were adequate for the protection of Columbia River chinook and for the fulfillment of Indian treaty rights. However, at the suggestion of the Court, the Department supplied an alternative of more restrictive regulations, which was later adopted by the Court.

To protect depressed coastal coho stocks, additional troll closures were instituted by California, Oregon, and Washington at appropriate dates around September 1. Oregon and Washington closures in September also included recreational fisheries.

In summary, the 1979 salmon fishery proved to be chaotic as a result of poor runs and intervention by the courts. There was a reasonably good harvest of chinook in California and Oregon and a fair one in Washington. The coho take was poor in California and Washington; in Oregon, it was better than 1978 but only fair compared with the average. The recreational fishery was fair in California and poor in Oregon and Washington.

The outlook for the 1980 fishery is again most discouraging, because of anticipated poor runs of coastal coho and Columbia River, Klamath River, and Sacramento River chinook.

The interception by the Canadian troll fleet of salmon originating in the area under the Council's jurisdiction

is expected to continue at high levels, compounding the serious resource problems. Negotiations with Canada with respect to each country's salmon interceptions are expected to continue in 1980.

A long-range salmon plan is being developed by the Council as a basic framework for future plans. This plan will comprehensively cover the resource from "gravel to gravel," include long-range goals and objectives, and present management measures by which these objectives can be achieved. The first draft of this comprehensive plan was presented in November 1979. It is anticipated the plan will be completed before the start of the 1981 season.

Pink Shrimp - Two drafts of a pink shrimp FMP were reviewed by the Council in 1979, and a third will be ready in April 1980.

Squid - A plan to manage squid fisheries off the Pacific coast has been hampered by a lack of information. Because there are no apparent conservation and management problems in the squid fishery, currently managed by the State of California, scientists on the Plan Development Team have been encouraged to take the time necessary to assess carefully the results of recent experimental fishing for incorporation in the next draft.

PUBLIC PARTICIPATION - The Council increased its efforts to receive public input on management alternatives in 1979.

Fifteen public hearings were convened by the Council in 1979, including nine on salmon and six on groundfish, jack mackerel, and/or anchovy management. Attendance ranged from a low of 12 at a hearing on an anchovy amendment to a high of 250 at a salmon hearing.

#### Public Hearings 1979

<u>Subject</u>	<u>Date</u>	<u>Location</u>	<u>No. Attending</u>	<u>No. Testifying</u>
Anchovy	January 12	San Diego, CA	12	4
Salmon	January 2	Seattle, WA	66	29
	January 3	Astoria, OR	90	14
	January 4	Coos Bay, OR	85	12
	January 4	Twin Falls, ID	52	10
	January 5	Eureka, CA	150	29
	January 6	San Francisco, CA	130	22
	February 27	Astoria, OR	130	16
	February 28	Seattle, WA	180	39
	February 28	Eureka, CA	250	33
Groundfish/ Jack Mackerel	December 14	Astoria, OR	32	5
	*December 14	Monterey, CA	40	8
	December 15	North Bend, OR	31	4
	*December 15	Long Beach, CA	13	2
	December 17	Arcata, CA	18	3

\*Public testimony on anchovy amendment was also received during these groundfish/jack mackerel hearings.

Draft fishery management plans and amendments were widely distributed. The mailing list for the 1979 ocean salmon amendment included 3,500 persons.

Attendance at monthly Council meetings ranged from 30 to over 200 people. All Council meetings included at least one public comment period, and one meeting included three such sessions on different topics.

The Council also increased its efforts to keep the news media informed of Council activities in 1979. Press packets were prepared for each Council meeting, and a newsletter was issued to approximately 2,000 persons on the mailing list immediately after each meeting. News coverage of Council activities remained excellent.

COUNCIL PUBLICATIONS AND CONTRACTS - Several publications were released under Council auspices during 1979. In order to increase public understanding, the Council produced and distributed nearly 5,000 copies of a 1977-78 Progress Report which provided a brief summary of the organization, authority, and major activities of the Council.

A study performed under contract with the University of Washington provided vital economic data on the Washington ocean recreational salmon fishery, with particular emphasis on the role played by the charter vessel industry.<sup>1/</sup>

A Council-appointed task force released a publication early in 1979 which described past, present, and anticipated future freshwater habitat conditions for salmon produced along the Pacific coast.<sup>2/</sup>

A contract was awarded to Robert Proctor & Assocs. and Roy Stevens to collect processor data on market channels, price trends, and consumer demand for groundfish, Dungeness crab, and pink shrimp. Results are expected in March 1980.

During the fiscal year ending September 30, 1979, twenty-five contracts, totaling \$404,000, were awarded to organizations participating in the development and modification of 10 FMP's. Most of the recipients were State fishery management agencies.

INTERACTION WITH CONGRESSIONAL COMMITTEES - Council spokesmen appeared before the House Subcommittee on Fisheries and Wildlife Conservation and the Environment on a variety of topics in 1979. Testimony addressed such major concerns as the following:

1. Maintaining the independent character of the Councils;
2. Providing the Councils with the authority to contract for independent legal services;
3. Ensuring that the Councils will have adequate funds to carry out their missions;
4. Shortening and simplifying the implementation schedule for fishery management plans;
5. Providing Councils with relief from administrative requirements of the Federal Advisory Committee Act (FACA);
6. Providing increased observer coverage on foreign vessels fishing in U.S. waters; and
7. Changing the present nonvoting status of the State of Alaska representative on the Pacific Council to that of a voting member.

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Appearance before House Subcommittee on  
Fisheries and Wildlife Conservation  
and the Environment  
1979

Date	Location	Spokesman
June 26	Washington, D.C.	John J. Royal
July 10	Washington, D.C.	John A. Martinis
October 11	Washington, D.C.	E. Chas. Fullerton

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<sup>1/</sup> An Economic Analysis of Washington Ocean Recreational Salmon Fishing With Particular Emphasis on the Role Played by the Charter Vessel Industry, University of Washington, January 1979.

<sup>2/</sup> Freshwater Habitat, Salmon Produced, and Escapements for Natural Spawning Along the Pacific Coast of U.S., Anadromous Salmonid Environmental Task Force of the PFMC, June 1979.

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# PACIFIC COUNCIL

## MEETINGS

### Council

Date and location	Brief description of subjects discussed	Open, closed, or partially closed
January 11-12, 1979 San Diego, CA	Billfish management; groundfish management; optimum yield; foreign fishing; salmon management; research priorities.	Partially closed (5 U.S.C. 552b (c)(1))
February 7-9, 1979 Seattle, WA	Anchovy management; salmon management; Dungeness crab management; foreign fishing applications.	Partially closed (5 U.S.C. 552b (c)(1))
March 8-9, 1979 Eureka, CA	Anchovy management; squid management; salmon management; groundfish management; jack mackerel management; foreign fishing applications; joint venture; research priorities.	Partially closed (5 U.S.C. 552b (c)(1))
May 10-11, 1979 North Bend, OR	Plan implementation schedule; Dungeness crab management; salmon management; anchovy management; billfish management; definition of optimum yield; pink shrimp management; jack mackerel management; groundfish management; foreign fishing and joint ventures.	Partially closed (5 U.S.C. 552b (c)(1))
July 12-13, 1979 Los Angeles, CA	Billfish management; anchovy management; Dungeness crab management; salmon management; groundfish management; foreign fishing and joint ventures; jack mackerel management; pink shrimp management; plan development process; comprehensive salmon management.	Partially closed (5 U.S.C. 552b (c)(1))
August 9-10, 1979 San Jose, CA	Plan development process; salmon management; billfish management; groundfish management; jack mackerel management; election of officers.	Partially closed (5 U.S.C. 552b (c)(1))
September 14, 1979 Portland, OR	Groundfish management; salmon management; billfish management; jack mackerel management.	Partially closed (5 U.S.C. 552b (c)(1))
October 10, 1979 Portland, OR	Groundfish management; joint venture permits.	Partially closed (5 U.S.C. 552b (c)(1))
November 7-8, 1979 Boise, ID	Groundfish management, foreign fishing and joint ventures; anchovy management; billfish management; pink shrimp management; endangered species; research funding priorities; comprehensive salmon management.	Partially closed (5 U.S.C. 552b (c)(1))
December 12-13, 1979 Renton, WA	Herring scoping session; pink shrimp management; salmon management; confidentiality of statistics regulations.	Partially closed (5 U.S.C. 552b (c)(1))
<u>Scientific and Statistical Committee</u>		
January 10-11, 1979 San Diego, CA	Definition of optimum yield; appointments to herring and billfish team; research needs; application of model used in anchovy plan; jack mackerel management; socioeconomics on salmon fishery; 1979 trawl PMP; herring management.	open
February 6-8, 1979 Seattle, WA	Salmon management; draft pink shrimp plan; anchovy management; Dungeness crab management.	open



March 7-8, 1979 Eureka, CA	Salmon management; anchovy management; groundfish management; appointments to subcommittees; Dungeness crab plan; pink shrimp plan; research needs; jack mackerel management.	open
April 11-12, 1979 Portland, OR	Pink shrimp plan; subcommittee appointments; interpretation of optimum yield; Dungeness crab plan; coordination of salmon enhancement; groundfish management; jack mackerel management.	open
May 7-8, 1979 La Jolla, CA	Anchovy management; optimum yield; Dungeness crab amendment; jack mackerel management; groundfish management; billfish management; pink shrimp management.	open
July 11-12, 1979 Los Angeles, CA	Anchovy biomass; billfish subcommittee report; team responsibilities; limited entry; research funding; groundfish management; jack mackerel management; optimum yield guidelines.	open
August 8-9, 1979 San Jose, CA	Policy on plan development; billfish management; groundfish management plan; jack mackerel management; NMFS optimum yield guidelines; herring fishing economics.	open
October 9-10, 1979 Portland, OR	Groundfish management; anchovy management; shrimp subcommittee changes; United States/Mexico meeting on anchovy.	open
November 6-7, 1979 Boise, ID	Management information systems; groundfish management; anchovy amendment; incidence of trawl-caught salmon, research funding; comprehensive salmon plan; 1980 salmon plan.	open
December 11-12, 1979 Renton, WA	Data management and research; salmon management; shrimp management; Pacific whiting TAC for 1980.	open

#### Advisory Panel

There were no meetings of the entire Advisory Panel in 1979. Each of the subpanels except for the Squid Subpanel held at least one meeting on plan development during 1979.

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Discussion Summary  
Closed and Partially Closed Sessions

Date and location	Council, SSC, or AP	Summary of discussion
January 11, 1979 San Diego, CA	Council	Discussion of appointments to Advisory Panel and Plan Development Teams and briefing on status of United States/Canada and United States/Mexico negotiations.
February 7, 1979 Seattle, WA	Council	Discussion of United States/Canada and United States/Mexico negotiations.
March 8, 1979 Eureka, CA	Council	Discussion of appointments to Advisory Panel and Plan Development Teams and briefing on status United States/Canada and United States/Mexico negotiations.
May 10, 1979 North Bend, OR	Council	Discussion of appointments to Advisory Panel, legal advice regarding 1979 ocean salmon plan amendment litigation, and status of United States/Canada and United States/Mexico negotiations.
July 12, 1979 Los Angeles, CA	Council	Discussion of appointments to Advisory Panel, legal advice regarding 1979 ocean salmon plan amendment litigation, and status of United States/Canada and United States/Mexico negotiations.
August 9, 1979 San Jose, CA	Council	Discussion of appointments to Advisory Panel and status of United States/Canada negotiations.
September 13, 1979 Portland, OR	Council	Discussion of appointments to Advisory Panel, personnel issues, status of United States/Canada negotiations.
October 10, 1979 Portland, OR	Council	Discussion of appointments to Advisory Panel.
November 7, 1979 Boise, ID	Council	Discussion of appointments to Advisory Panel and status of negotiations with Canada.
December 12, 1979 Renton, WA	Council	Discussion of appointments to Advisory Panel and status of United States/Canada negotiations.

Public Hearings

Date and location	Brief description of subjects discussed
January 2, 1979 Seattle, WA	1979 Ocean Salmon Management Plan amendment.
January 3, 1979 Astoria, OR	1979 Ocean Salmon Management Plan amendment.
January 4, 1979 Coos Bay, OR	1979 Ocean Salmon Management Plan amendment.
January 5, 1979 Eureka, CA	1979 Ocean Salmon Management Plan amendment.
January 6, 1979 San Francisco, CA	1979 Ocean Salmon Management Plan amendment.
January 12, 1979 San Diego, CA	Anchovy Management Plan.
February 27, 1979 Astoria, OR	1979 Ocean Salmon Management Plan amendment.
February 28, 1979 Seattle, WA	1979 Ocean Salmon Management Plan amendment.
February 28, 1979 Eureka, CA	1979 Ocean Salmon Management Plan amendment.
December 14, 1979 Astoria, OR	Groundfish Management Plan; Jack Mackerel Management Plan.
December 14, 1979 Monterey, CA	Groundfish Management Plan; Jack Mackerel Management Plan; anchovy management.
December 15, 1979 Coos Bay, OR	Groundfish Management Plan; Jack Mackerel Management Plan.
December 15, 1979 Long Beach, CA	Groundfish Management Plan; Jack Mackerel Management Plan; anchovy management.
December 17, 1979 Eureka, CA	Groundfish Management Plan; Jack Mackerel Management Plan.

## NORTH PACIFIC COUNCIL

The North Pacific Fishery Management Council, headquartered in Anchorage, Alaska, is one of the eight Regional Councils established by the Fishery Conservation and Management Act of 1976 (P.L. 94-265). The Council is responsible for fishery management matters from beyond Alaska's territorial seas (3 miles) to the 200 mile limit. The Council has 15 members—11 voting and 4 nonvoting. It is also supported by a 10-member Scientific and Statistical Committee (SSC) and a 25-member Advisory Panel (AP). There is a full-time Council staff of eight persons.

During calendar year 1979, the Council held eight meetings. SSC and AP meetings were held in conjunction with each Council meeting. The Council also conducted 12 public hearings for fishery management plans in affected areas of Alaska. There were no closed sessions in any of the meetings.

The Council had one fishery management plan (FMP) implemented during 1979—"High Seas Salmon Fishery off the Coast of Alaska East of 175° East Longitude." The Council approved and submitted to the Secretary for review one plan, "Bering Sea/Aleutian Island Groundfish," and started the public review process for the FMP for Bering Sea/Aleutian Island Herring.

The Council had three more plans in the development stages during 1979. They were for king crab, Bering Sea clams, and Bering Sea shrimp.

The Council also approved and submitted to the Secretary amendments to the Bering Sea/Aleutian Islands FMP, Gulf of Alaska Groundfish FMP, and Tanner Crab FMP.

The Council contracted with state agencies, universities, and private consultants for research to aid in the development of fishery management plans. Two contracts were completed and reports accepted during 1979:

- "Investigations of Continental Origin of Sockeye and Coho Salmon in the Area of the Japanese Land-based Fishery"
- "A Study to Determine the Effects of Hydraulic Clam Harvesting in the Eastern Bering Sea."

In addition, the following projects were continued or started during 1979:

- "An Observer Program for the Domestic Groundfish Fishery in the Gulf of Alaska"
- "The Development and Enhancement of a Computerized Fisheries Information System"
- "Assessment of Spawning Herring and Capelin Stocks at Selected Coastal Areas in the Eastern Bering Sea"

- "A Coded Wired Tag Recovery Program on Chinook and Coho Salmon in Southeast Alaska - 1978 and 1979" (two contracts)
- "Graphical and Printed Summaries of Troll Salmon Fishery Data from the Alaska Trollers Association 1977 Troll Logbook Program"
- "Pilot Observer Program for the Troll Salmon Fishery off Alaska"
- "Socioeconomic Data Collection and Analysis for Use in Fishery Management Plans, Socioeconomic Data Needs Committee, August, 1979."

In addition to contracts the Council worked closely with National Marine Fisheries Service, the Alaska Department of Fish and Game, the Coast Guard, and the University of Alaska Sea Grant Program in plan development and other Council operations.

### Management of the Tanner Crab Fishery Under the Fishery Conservation and Management Act

In response to NMFS' request to discuss in this report the management of a particular fishery, the North Pacific Council has chosen the Tanner crab fishery.

The Tanner crab fishery (species Chionoecetes bairdi and C. opilio) off the coast of Alaska developed near Kodiak in the late 1960's and spread to the southeast Bering Sea and Aleutian Islands in the early 70's. Relatively minor nearshore Tanner crab fisheries occur elsewhere throughout the State but will not be discussed here. Last year the domestic Tanner crab fishery harvested 118 million pounds of crab worth \$32.7 million to the fishermen; 4 years earlier the total value was \$7 million. Approximately 300 85- to 160-foot boats fish the Kodiak and Bering Sea Tanner crab fishery and generally fish king crab, shrimp, and salmon as well. Currently the fishing sector is heavily capitalized. Steady, year-round high rates of return are needed to meet the high overheads and the high debt services at a time when prices are depressed. The foreign fishery in the Bering Sea, since FCMA, is all Japanese. Their allocations increased in 1977 and again in 1978 when their catch quotas went from 10,800 metric tons (mt) in 1976 to 12,500 mt in 1977 and 15,000 mt in 1978. The allocation in 1979 remained 15,000 tons, but the allocation in 1980 has been reduced to 7,500 mt; restricted to the area north of 58° N. latitude in the Bering sea where the fishery will take primarily C. opilio.

The Tanner Crab Fishery Management Plan was approved by the Council on September 24, 1977. It was approved by the Secretary of Commerce and published in the Federal Register on May 16, 1978, and implemented on December 1, 1978. The plan has been amended four times, the most recent amendment extended the provisions of the plan through October 31, 1980.



There are three major objectives of the plan:

1. Minimize fluctuations of stock abundance due to harvest by maintaining the full reproductive potential of the Tanner crab stocks;
2. Integrate management of Tanner crab stocks with those of other fisheries to maximize economic returns and minimize adverse impacts on other stocks; and
3. Prevent gear conflicts between U.S. and foreign fishermen.

To achieve these objectives the Council has implemented regulations that provide for closed seasons to protect breeding stocks and molting animals, allow only selective pot gear, sex limitations (i.e., females may not be taken), size limits, and harvest levels based on the best available resource assessment survey. The domestic Tanner crab fishery, although only recently developed, is expanding rapidly as a result of decreasing Japanese catches in the greatly restricted fisheries off the U.S.S.R., greatly increased U.S. harvesting and processing capacity, and better access to Japanese Tanner crab markets. The weakening of the dollar against the yen further enhanced U.S. market opportunities in Japan. This dramatically increased capability and market incentive for the United States to harvest and process Tanner crab has raised several thorny issues related to the use of optimum yield (OY), the reduction in the foreign allocation and the degree of Japanese control of the market place, the credibility of domestic estimates, and the compatibility of Federal and State regulations for the Tanner crab fishery. By 1978 the domestic fishery had expanded to harvest all of the optimum yield for Tanner crab C. bairdi. By 1981 the domestic fishery is expected to harvest all of the optimum yield for C. opilio as well. At that time there will be no surplus for foreign crab fleets. The impact of the change of source of supply on the Japanese market has not been fully determined.

Future production in this fishery will tend to fluctuate to some extent since much of the market is in Japan and affected by Japanese catches both off the United States and Asia and dollar/yen relationships. Natural population fluctuations having no apparent relationship to harvest intensity are evident even in the rather short term data base available for this resource.

The future of this resource and fishery looks good. The current downward trend in C. bairdi is expected to bottom out in 1983 and increase thereafter. C. opilio, also now on a downward trend, should start increasing at about the same time. Improving technology for meat extraction from the smaller C. opilio promises to expand U.S. markets both in volume and area, lessening dependence on the Japanese market. Biological management is relatively straight forward since only males are harvested and those only after they have been part of the breeding population for 1 or more years. Careful planning is necessary, however, to mesh this fishery with other crab fisheries and the groundfish trawl fishery, which is capable of taking large numbers of crab incidental to their efforts on

pollock and other demersal fish. Some control of harvest is also desirable to stabilize markets, particularly in Japan.

#### Issues Important to the Secretary

General Accounting Office and Department of Commerce Reports - The General Accounting Office report published in January 1979 highlighted the problems of the Council with respect to public participation, inadequacies of data bases, and administration review delays. A report published in April 1979 contained a descriptive discussion of the Alaska crab fishery. The problem and issues highlighted in this report continue to be issues important to the Secretary and also to this Council.

Public Participation in Council Activities - A good summary of the description of the public participation process is contained in the General Accounting Office report published in January of 1979. Council procedures have not changed. During 1979 the Council held public hearings on two plans, the Fishery Management Plan for Herring in the Bering-Chukchi Sea and the Fishery Management Plan for High Seas Salmon off the Coast of Alaska East of 175 Degrees East Longitude. Eleven public hearings were held in the following locations: Kotzebue, Nome, Unalakleet, Dillingham, Kodiak, Anchorage, Juneau, Sitka, Petersburg, Pelican, and Ketchikan. Notification of the meetings was through normal Council procedures and also bush radio and word of mouth. Attendance was good.

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Goldie I. Nelson, Secretary

### NORTH PACIFIC COUNCIL

#### MEETINGS

##### Council

Date and location	Brief description of subjects discussed	Open, closed, or partially closed
January 25-26, 1979 Anchorage, AK	Legislation of Halibut Commission. Bering Sea and Aleutian Groundfish FMP. Bering Sea Shrimp FMP. Gulf of Alaska Groundfish FMP amendments. Review of Halibut and Salmon FMP regulations. Approval of final report, "Effects of Hydraulic Clam Harvesting in the Bering Sea". Advisory Panel nominations. Review Alaska Board of Fisheries regulations. Incidental species report. U.S. catcher/processors in crab fishery.	open
February 22-23, 1979	Advisory Panel appointments. Reserve release in Gulf of Alaska. Gulf of Alaska Groundfish FMP amendments. Review of Alaska Board of Fisheries actions. Status of halibut legislation and negotiations. Joint venture permit applications. Report on shrimp workshop in Kodiak. NMFS report on crab population/trends. Foreign permit application review process.	open

March 22-23, 1979 Juneau, AK	Catcher/processor. Interim regulations of P.L. 95-354. Review of Alaska Board of Fisheries proposals. Reserve release for Groundfish in Gulf of Alaska. Bering Sea and Aleutian Island Groundfish FMP. Marine sanctuaries. Permit reviews procedures. Status report of seized foreign vessel—NOAA. FY79 budget midyear review.	open
May 24-25, 1979 Juneau, AK	Gulf of Alaska Groundfish FMP—retail OY. Gulf of Alaska Groundfish FMP—release of reserve. Gulf of Alaska Groundfish FMP—conflicts between State and Federal regulations. Tanner Crab FMP. Bering Sea and Aleutian Island Groundfish FMP/EIS. DAH Working Group report. Troll Salmon FMP. Oversight Hearing—FCMA. FMP Development Workshop report. Council contracts.	open
June 28-29, 1979 Homer, AK	Gulf of Alaska Groundfish FMP—amendments. Bering Sea Groundfish Draft FMP—amendments. Tanner Crab FMP—review of stocks and extension of plan through 1980. Troll Salmon FMP—review partial disapproval by SOC. Limited Entry Workshop report. FCMA Oversight Hearing testimony review. Joint venture permit—PRIAMURE. Optimum yield report. Incidental species. Fur Seal Convention. HR43-60 review.	open
August 23-23, 1979 Anchorage, AK	Gulf of Alaska Groundfish FMP—amendments. Bering Sea herring (draft FMP). Council contracts. Budgets—Council FY80—NMFS FY82. Troll salmon.	open
October 4-5, 1979 Sitka, AK	FCMA Oversight Hearing reports. St. George Basin lease sale. FMP Schedule Committee report. Troll Salmon FMP amendments. Tanner Crab FMP. Gulf of Alaska Groundfish FMP. Halibut FMP. Herring Draft FMP. Bering Sea/Aleutian Groundfish FMP. Council Contract reports.	open
December 12-14, 1979 Anchorage, AK	Appointment of new Advisory Panel members. High Seas salmon fishery. Tanner Crab FMP. Draft FMP for Herring in Bering-Chucki Sea. Draft Halibut off Alaska FMP. Gulf of Alaska Groundfish FMP amendments. Bering Sea and Aleutian Island Groundfish FMP amendments. Joint meeting of Alaska Board of Fisheries/NPFMC. Resolutions and action from joint meeting. 1980 Foreign Fee Schedule. HR 5611. State/Federal management. This meeting was recessed until January 10, 1980.	open

All Council discussion included reports from: Alaska Department of Fish and Game (ADF&G) on domestic fisheries; NMFS on foreign fisheries; U.S. Coast Guard on enforcement and surveillance; and Special SSC and AP reports.



Scientific and Statistical Committee

January 22-24, 1979 Anchorage, AK	Shrimp workshop. Socioeconomic Data Needs, Centaur Associates questionnaire. Bering Sea Shrimp FMP. SSC policies and procedures. U.S./U.S.S.R. scientists meeting. Groundfish observer program. Review final report "Effects of Hydraulic Clam Harvesting in Bering Sea". Review NMFS Tanner crab report. Gulf of Alaska Groundfish amendments. Bering Sea/Aleutian Groundfish FMP.	open
February 21-22, 1979 Anchorage, AK	NMFS report of management of Eastern Bering Sea king and Tanner crabs. King crab management strategy. Gulf of Alaska groundfish amendments. Bering Sea/Aleutian groundfish plan review. ADF&G data system contract.	open
March 20-22, 1979 Seattle, WA	Review Draft King Crab FMP. Bering Sea/Aleutian Islands Groundfish Plan. Sablefish. Bering Sea Herring FMP. Tanner Crab FMP.	open
May 22-23, 1979	Review Draft FMP/DEIS Herring in Bering/Chukchi Sea. Gulf of Alaska Groundfish FMP--rattail OY. Gulf of Alaska Groundfish FMP--State/Federal conflicts. Tanner Crab FMP. FMP/EIS Bering Sea/Aleutian Groundfish. Report from DAH Working Group. Contract review. Report from Adhoc group on socioeconomic data needs. Draft King Crab FMP review. Optimum yield.	open
June 26-27, 1979 Homer, AK	SSC membership. Review of Draft King Crab FMP. Definition of fishery management unit. Salmon/herring savings area. Tanner crab. Proposed FCMA changes. Processor preference. Optimum yield report.	open
August 23, 1979 Anchorage, AK	OY guideline. King Crab FMP. Herring workshop. Socioeconomic data needs--FMP's. SSC membership. Clam Plan Subcommittee. Bering Sea/Aleutian Islands Groundfish FMP. Incidental salmon catches in foreign trawl/Bering Sea. Gulf of Alaska Groundfish FMP. Bering Sea Herring FMP. Council contracts. Bering Sea clam leasing study proposal. Halibut tickets.	open
October 2-3, 1979 Sitka, AK	FMP Committee assignments. Draft King Crab FMP review. FCMA Oversight Hearings. Tanner Crab FMP amendment. SSC charter review. Council contracts.	open

November 27, 1979 Anchorage, AK	Troll Salmon FMP amendments. Gulf of Alaska Groundfish FMP amendments. Bering Sea Groundfish FMP. SSC membership. State/Federal management program. Marine mammals in Bristol Bay. Council contracts. OTA staff planning paper.	open
<u>Advisory Panel</u>		
January 24, 1979 Anchorage, AK	NMFS observer report. Halibut legislation. Bering Sea and Aleutian Groundfish FMP. Bering Sea Shrimp FMP. Gulf of Alaska Groundfish FMP. U.S. catcher/processors in crab fishery. Support of Alaska Fishery Development Corp.	open
February 22, 1979 Anchorage, AK	National Weather Service report. ADF&G data contract. Coast Guard report of seizures. Alaska Board of Fisheries actions. Release of reserves in Gulf of Alaska. Joint ventures.	open
March 21, 1979 Juneau, AK	Coast Guard report. Experimental contract (ADF&G) groundfish fishery—Cordova. U.S. catcher—processors. Proposed interim regulations—P.L. 95-354. Review Alaska Board of Fisheries recommendations. Salmon Troll regulations. Gulf of Alaska groundfish reserve. Marine sanctuaries. Bering Sea/Aleutian Groundfish FMP.	open
May 23, 1979 Juneau, AK	Review Draft FMP/EIS Herring. Gulf of Alaska Groundfish FMP amendments. Gulf of Alaska Groundfish FMP regulations and conflicts. Tanner crab stock review. Bering Sea/Aleutian Groundfish FMP. DAH/processor preference. West coast salmon report. FCMA Oversight Hearing. FMP workshop report.	open
June 27, 1979 Homer, AK	Estimating DAH. Consideration of salmon/herring closures in the Bering Sea. Status of Tanner crab. Report on limited entry. FCMA Oversight Hearing.	open
August 22, 1979 Anchorage, AK	Draft EIS/Fur Seal Convention. Oversight Hearings. Economic analysis of Tanner crab regulations. Socioeconomic data needs FMP's. Incidental species report. Bering Sea/Aleutian Islands Groundfish FMP. Tanner crab FMP. Gulf of Alaska Groundfish FMP. Draft Bering Sea Herring FMP.	open

October 2, 1979 Sitka, AK	High seas salmon fishery. INPFC meeting. Joint venture permits. FCMA Oversight Hearings. St. George Basin lease sale. FMP scheduling report. Troll Salmon FMP. Tanner Crab FMP. Gulf of Alaska Groundfish FMP. Halibut FMP. Herring FMP. Joint Alaska Board of Fisheries/NPFMC.	open
December 11, 1979 Anchorage, AK	Troll salmon. Herring FMP. Halibut FMP. Gulf of Alaska Groundfish amendments FMP. Bering Sea/Aleutian Island Groundfish FMP Amendments. Review Alaska Board/Council joint meeting. Joint venture applications. 1980 Foreign Fee Schedule. HR 5611. World Fisheries report suspension. Council contracts. This meeting was recessed until January 1980.	open

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#### PUBLIC HEARINGS

Date and location	Brief description of subjects discussed
October 2, 1979 Sitka, AK	High Seas Salmon Fishery Off the Coast of Alaska East of 175 Degrees Longitude.
November 13, 1979 Sitka, AK	High Seas Salmon Fishery Off the Coast of Alaska East of 175 Degrees Longitude.
November 14, 1979 Petersburg, AK	High Seas Salmon Fishery Off the Coast of Alaska East of 175 Degrees Longitude.
November 15, 1979 Juneau, AK	High Seas Salmon Fishery Off the Coast of Alaska East of 175 Degrees Longitude.
November 16, 1979 Ketchikan, AK	High Seas Salmon Fishery Off the Coast of Alaska East of 175 Degrees Longitude.
November 18, 1979 Pelican, AK	High Seas Salmon Fishery Off the Coast of Alaska East of 175 Degrees Longitude.
November 12, 1979 Nome, AK	Bering - Chukchi Sea Herring Draft Fishery Management Plan.
November 13, 1979 Unalakeet, AK	Bering - Chukchi Sea Herring Draft Fishery Management Plan.
November 13, 1979 Kotzebue, AK	Bering - Chukchi Sea Herring Draft Fishery Management Plan.
November 17, 1979 Dillingham, AK	Bering - Chukchi Sea Herring Draft Fishery Management Plan.
November 29, 1979 Kodiak, AK	Bering - Chukchi Sea Herring Draft Fishery Management Plan, Draft Environmental Impact Statement.
November 30, 1979 Anchorage, AK	Bering - Chukchi Sea Herring Draft Fishery Management Plan, Draft Environmental Impact Statement.

## WESTERN PACIFIC COUNCIL

### NARRATIVE

#### BILLFISHES

I. Description - The billfish fishery, which takes several species but predominantly blue marlin and striped marlin, is largest and best documented in Hawaii. There the annual catch (not quite 750,000 pounds) is second in weight only to the catches of the several species of tunas and third in value (not quite \$450,000 ex-vessel). In addition to being a multi-species fishery, it is also a multifishery fishery. There is a domestic longline fishery, a charter boat/recreational fishery, a recreational/commercial fishery, a recreational fishery, and a subsistence fishery. The recreational/commercial fishery has been growing rapidly, particularly in Hawaii and Guam. In toto, some 1,824 vessels are involved. There is, in addition, a substantial catch of billfishes in the FCZ by foreign longline fishermen whose target species are tunas; the billfishes are a bycatch.

The billfish fishery thus offers a source of employment, a source of protein, and investment opportunities as well as providing sources of income for ancillary industries including processing, distribution and marketing, vessel sales and repairs, tourism, etc. On the basis of exvessel value of catch, the per capita value, \$0.331, in the Western Pacific Region compares very favorably with some of the fisheries in the other Council regions, such as herring, 0.263, in New England; sea herring, 0.384, in the North Pacific; reef fish, 0.337, in the Gulf. (See following table.)

II. Objectives - The objectives of the management plan are to manage the multispecies complex in such a way as to:

- A. Encourage the increased domestic catch of these species;
- B. Increase the collection of information relevant to management; and
- C. Minimize the impact of any regulations on those domestic industries depending in some degree on foreign fishing in the FCZ for these species and tunas.

III. Primary Management Measures - Although the Council has not yet adopted the final management measures, it is the intent to (1) minimize potential conflict between domestic and foreign fishermen and (2) to provide opportunity for continued growth of the domestic fishery. Potential conflicts could be minimized by closing to foreign fishermen those areas and times in and during which the domestic fishermen normally fish. Restriction of foreign effort on a historic basis, such as the running average for the last 5 years, would allow for continuing growth to occur in the domestic fishery.

IV. Complexities Encountered - The complexities encountered in dealing with this fishery arise from three sources: (1) multispecies nature of the fishery, (2) the cosmopolitan nature of the billfishes, and (3) the multifishery nature of the fishery, especially as this relates to foreign fishing. With respect to (1), each of the species has its own characteristic biological features, such as growth, age, mortality, MSY, etc., so that it is difficult to impossible to derive a single management strategy based on biology that is equally effective for all species. With respect to (2), a particularly vexing feature of their biology is that these species tend to be pan-Pacific in their distribution, made up, so far as is known, of one or at most two or three reproductively self-sustaining populations. Thus, any management measures based on biology alone and applied only to the billfishes in the relatively small area of the FCZ will be ineffective insofar as the ability to affect the population is concerned. Finally, with respect to (3), the multifishery nature of the domestic fishery is difficult enough, but the foreign element created an almost impossible situation. This arises from the U.S. position with respect to tunas and the fact that the billfishes taken in the FCZ by foreign fishermen are a bycatch in the tuna longline fishery. The original ground rule of nonretention under which the Council had to operate created an impossible management situation.

V. Outlook - The FMP should encourage continued growth of the domestic fishery, while minimizing potential conflicts with foreign fishermen. At the same time, the impact on the foreign fishermen will be negligible.



REGIONAL \$ VALUE PER CAPITA OF FISHERIES \*VOTING MEMBERS

<u>Council</u>	<u>\$/Capita</u>
<u>New England</u>	
Herring .....	0.263
<u>Mid-Atlantic</u>	
Mackerel .....	0.014
Butterfish .....	0.017
Surf clam & Quahog .....	0.692
Squid .....	0.033
<u>South Atlantic</u>	
Billfish .....	
<u>Caribbean</u>	
Spiny lobster .....	0.272
<u>Gulf</u>	
Shrimp .....	0.934
Reef fish .....	0.337
Stone crab .....	0.120
<u>Pacific</u>	
Salmon .....	0.978
Billfish .....	0.023
Jack mackerel .....	0.076
Groundfish .....	0.662
Anchovy .....	0.164
<u>North Pacific</u>	
Halibut .....	2.518
Sea herring .....	0.384
Groundfish Gulf of Alaska .....	0.147
<u>Western Pacific</u>	
Precious corals .....	0.250
Billfish .....	0.331
Spiny lobster .....	0.994
Bottomfish .....	1.002

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\*Based on exvessel value of landings in most recent year for which data are available, and Census Bureau mid-1978 population estimates.

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